

ORIGINAL

NO: _____

IN THE
SUPREME COURT OF THE UNITED STATES

Sandra Harmon- Petitioner

VS.

Dept. of Finance Sussex County, Delaware et. al.- Respondents

ON PETITION FOR A WRIT OF CERTIORARI
THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

APPENDIX FOR PETITION FOR WRIT OF CERTIORARI
INCLUDES

Exhibit 1 Consist of three (3) pages- Electronically filed case closed notice w/ 2 pages of the docket which shows the court's reopening of the case to accommodate counsel for defense February 16, 2021 Court filing, filed well after the appeal was filed in the case.

Exhibit 2 Consisting of one (1) page letter to district court preserving my right to appeal, notifying them to docket my appeal for February 9, 2021.

Exhibit 3 Consisting of 91 pages- Third Circuit Appeals Case 0:21 cv 01021 Docket Entry dated March 2, 2021

OPINIONS INCLUDED

US Court of Appeals for the Third Circuit No: 0:21-cv-01317. Sandra Harmon v. Dept. of Finance et. al., judgment entered June 9, 2021.


US District Court for the District of Delaware No. 1-18-cv -01021. Sandra Harmon v. Dept. of Finance et. al., judgment entered 2/02/21.

US Court of Appeals for the Third Circuit No: 19 cv 03191. Sandra Harmon v. Dept. of Finance et. al., judgment certified 06/4/2020.

US Court of Appeals for the Third Circuit No: 19 cv 03191. Sandra Harmon v. Dept. of Finance et. al., judgment entered 4/27/2020.

US District Court for the District of Delaware No. 1-18-cv -01021. Sandra Harmon v. Dept. of Finance et. al., judgment entered 8/19/2019.

Dated: July 2, 2021


Sandra Harmon
815 F Street
Hartsville, SC 29550
302-245-0299

Plaintiff below / Appellant
Exhibit #1 to Response
to Dismiss Motion

Utility Events

1:18-cv-01021-RGA Harmon v.

Department of Finance et al

CASE CLOSED on 02/02/2021

CLOSED, PRO-SE

U.S. District Court

District of Delaware

Notice of Electronic Filing

The following transaction was entered on 2/16/2021 at 4:19 PM EST and filed on 2/16/2021.

Case Name: Harmon v. Department of Finance et al

Case Number: 1:18-cv-01021-RGA

Filer:

WARNING: CASE CLOSED on 02/02/2021

Document Number: No document attached

Docket Text:

CORRECTING ENTRY: The opening brief and appendix filed as attachments to the motion at D.I. 44 have been removed from that filing. Motions, briefs and appendices are to be filed independent of each other. Counsel is to refile the brief and appendix accordingly. (nms)

1:18-cv-01021-RGA Notice has been electronically mailed to:


Kevin J. Connors kjconnors@mdwcg.com, dapanebianco@mdwcg.com

Artemio C. Aranilla, II acaranilla@mdwcg.com, frparis@mdwcg.com, kjconnors@mdwcg.com, sekreps@mdwcg.com

1:18-cv-01021-RGA Filer will deliver document by other means to:

Sandra Harmon
815 F Street
Hartsville, SC 29550

1 of 3
~~6 of 6~~

55  **appeal** **USCA Order Terminating Appeal** **Wed 06/09 8:35 AM**

USCA Certified Order Terminating Appeal as to 48 Notice of Appeal to the Third Circuit filed by Sandra Harmon. USCA Decision: The Appellees' Motion to dismiss the appeal for lack of appellate jurisdiction is Granted. (ai)

Thursday, March 11, 2021

54 **order** **Oral Order** **Thu 03/11 8:39 AM**

ORAL ORDER: The motion to deny reopening (D.I.53) is DENIED. As the docket reflects, the case was closed in error after the entry of a non-final order. Nevertheless, there is now an appeal pending, and Defendants motion to dismiss (D.I.44) is DISMISSED without prejudice and with leave to refile when there is no longer any appeal pending. Ordered by Judge Richard G. Andrews on 3/11/2021. (nms)

Thursday, February 25, 2021

53  **motion** **Miscellaneous Relief** **Thu 02/25 2:58 PM**

MOTION to Deny Reopening of Case, filed by Sandra Harmon. (amf)

Monday, February 22, 2021


52  **misc** **Letter** **Tue 02/23 11:51 AM**

Letter to Clerk for the Court of Appeals, 3rd Circuit, from Clerk of Court, forwarding filing.(sam)

Att: 1  forwarded filings

51  **appeal** **- NOTICE OF APPEAL - Third Circuit** **Tue 02/23 11:37 AM**

NOTICE OF APPEAL to the Third Circuit re 42 Memorandum Opinion, and 43 Order (Duplicate of D.I.48). Appeal filed by Sandra Harmon. (sam) Modified on 2/23/2021 (nms)

50  **appeal** **Transcript Purchase Order - Appeal to Third Circuit** **Tue 02/23 11:34 AM**


TRANSCRIPT PURCHASE ORDER REQUEST by Sandra Harmon. Already on file in the District Court Clerk's Office. (sam)

Friday, February 19, 2021

49  **appeal** **-- Notice of Docketing ROA - 3rd Circuit** **Fri 02/19 10:19 AM**

NOTICE of Docketing from USCA for the Third Circuit. Re 48 Notice of Appeal to the Third Circuit filed by Sandra Harmon. USCA Case Number: 21-1317 USCA Case Manager: Anthony Infante. (DOCUMENT IS RESTRICTED AND CAN ONLY BE VIEWED BY COURT STAFF) (ai)


Thursday, February 18, 2021

47  **11 pgs** **appeal** **USCA Letter to District Court Clerk** **Thu 02/18 12:18 PM**

USCA Letter to District Court Clerk forwarding Notice of Appeal on behalf of Sandra Harmon to District Court.(ld)

Att: 1  **1 pgs** Letter


Tuesday, February 16, 2021

46  **27 pgs** **respm** **Brief - Opening Brief in Support** **Tue 02/16 4:28 PM**

OPENING BRIEF in Support re 44 MOTION to Dismiss, filed by Jason Adkins, Dale Callaway, Department of Finance, Ellen Magee, J Bruce Mears, John Mills, Sussex County Administration, E. Brent Workman. Answering Brief/Response due date per Local Rules is 3/2/2021. (Connors, Kevin) Modified on 2/16/2021 (nms)

45  **90 pgs** **misc** **Appendix** **Tue 02/16 4:16 PM**

APPENDIX re 44 MOTION to Dismiss, by Jason Adkins, Dale Callaway, Department of Finance, Ellen Magee, J Bruce Mears, John Mills, E. Brent Workman. (Connors, Kevin) Modified on 2/16/2021 (nms)

44  **motion** **Dismiss/Other** **Tue 02/16 4:14 PM**

MOTION to Dismiss - filed by Jason Adkins, Dale Callaway, Department of Finance, Ellen Magee, J Bruce Mears, John Mills, Sussex County Administration, E. Brent Workman.(Connors, Kevin) Modified on 2/16/2021 (nms)

Att: 1  Proposed Order,

Att: 4  Certificate of Service

2 of 3

utility - CORRECTING ENTRY Tue 02/16 4:19 PM

CORRECTING ENTRY: The opening brief and appendix filed as attachments to the motion at D.I. 44 have been removed from that filing. Motions, briefs and appendices are to be filed independent of each other. Counsel is to refile the brief and appendix accordingly. (nms)

utility - CORRECTING ENTRY Tue 02/16 4:23 PM

CORRECTING ENTRY: The case has been reopened as it was closed in error. (nms)

utility - CORRECTING ENTRY Tue 02/16 4:35 PM

CORRECTING ENTRY: The appendix filed as an attachment to the brief at D.I.46 has been removed from that filing. (nms)

Tuesday, February 09, 2021

48 appeal - NOTICE OF APPEAL - Third Circuit Thu 02/18 1:18 PM

NOTICE OF APPEAL to the Third Circuit re42 Memorandum Opinion, and43 Order. Appeal filed by Sandra Harmon. Filing fee \$505, was Not Paid. No TPO provided. (nms)

Tuesday, February 02, 2021

43 1 pgs order Order ~Util - Terminate Civil Case Tue 02/02 11:34 AM

ORDER: Defendants' motion to dismiss (D.I.7) is DENIED. Plaintiff's motion for summary judgment (D.I.13) remains DISMISSED (***Civil Case Terminated). Signed by Judge Richard G. Andrews on 2/1/2021. (nms)

42 7 pgs order Opinion - Memorandum Opinion Tue 02/02 11:29 AM

MEMORANDUM OPINION. Signed by Judge Richard G. Andrews on 2/1/2021. (nms)

Thursday, June 04, 2020

41 2 pgs appeal USCA Mandate Thu 06/04 4:53 PM

MANDATE of USCA as to29 Notice of Appeal to the Third Circuit filed by Sandra Harmon,32 Notice of Appeal to the Third Circuit filed by Sandra Harmon. USCA Decision: Remanded.(cw,)

Tuesday, May 19, 2020

40 2 pgs misc Mail Returned Tue 05/19 3:22 PM

Return of Undeliverable Mail sent to Sandra Harmon Related [+] (mal)

Monday, May 04, 2020

39 misc Letter Mon 05/04 3:57 PM

Letter to Clerk for the Court of Appeals, 3rd Circuit, from Clerk of Court, forwarding filing.(rwc) Modified on 5/5/2020 (nms).

Att: 1 Notice of Discrepancy

Thursday, April 30, 2020

38 1 pgs misc Letter Thu 04/30 3:06 PM

Letter to Sandra Harmon, from Clerk of the Court, returning a filing for Third Circuit Court of Appeals.(kmd) Modified on 4/30/2020 (nms)

Att: 1 Notice

Friday, October 11, 2019

37 appeal Transcript Purchase Order - Appeal to Third Circuit Tue 10/15 8:20 AM

TRANSCRIPT REQUEST: Already on file in the District Court Clerk's office by Sandra Harmon (mal)

Tuesday, October 08, 2019

36 1 pgs order Order Tue 10/08 12:25 PM

ORDER: The motion for reconsideration (D.I.25) is DENIED. Signed by Judge Richard G. Andrews on 10/7/2019. (nms)

35 3 pgs order Opinion - Memorandum Opinion Tue 10/08 12:23 PM

MEMORANDUM. Signed by Judge Richard G. Andrews on 10/7/2019. (nms)

36f3

Petitioner Exhibit #2

OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT
CLERK

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA 19106-1790

TELEPHONE
215-597-2995

February 18, 2021

John A. Cerino, Clerk
United States District Court
J. Caleb Boggs Federal Building
844 North King Street
Wilmington, DE 19801-3570

Re: Harmon v. Department of Finance, et al.
D. Del. No. 1-18-cv-01021

Dear Mr. Cerino:

Pursuant to Rule 4(d), Federal Rules of Appellate Procedure, and Rule 3.4, Third Circuit Local Appellate Rules, we are forwarding the attached Notice of Appeal from the District Court Memorandum Opinion (#42) and Order (#43) entered 2/2/21 which was filed with this office in error. See Rule 3(a)(1), Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. **The notice was received in this Court on 2/9/21 and should be docketed as of that date.**

This document is being forwarded solely to protect the litigant's right to appeal as required by the Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. Upon receipt of the document, kindly process it according to your Court's normal procedures. If your office has already received the same document, please disregard the enclosed copy to prevent duplication.

Pursuant to Rule 3(a)(1), Federal Rules of Appellate Procedure, a notice of appeal must be filed with the Clerk of the District Court. This Court may not act on an appeal until the notice has been docketed in the District Court and certified to this Court by the District Court Clerk.

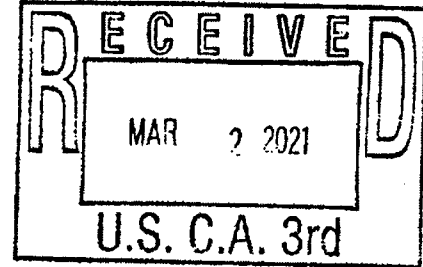
Thank you for your assistance in this matter.

Very truly yours,

By: /s/ Patricia S. Dodszuweit
Clerk

PSD/lld
Enclosure
cc: Sandra Harmon (w/out enclosure)

Petitioner Exhibit #3



CASE NO. 21 CV 1317

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Sandra Harmon Plaintiff below- Appellant

VS.

Department of Finance Sussex County, Delaware et. al.
Defendant below- Appellee

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE
Docket No. 18 cv 01021
The Honorable Richard Andrews

APPELLANT'S OPENING BRIEF

Sandra Harmon
Sandra Harmon
815 F Street
Hartsville, SC 29550
302-245-0299

Dated: 2/24/2021

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1. State Court Docket S18T-01-002	
2. Nov. 6, 2018 emails from State Court Judge Stokes- 3 pages	
3. July 6, 2018 Order- Noting MOOT S18T-01-002	
4. Nov. 7, 2018 STAY ORDER- S18T-01-002	
5. August 20, 2018 Letter from Judge Stokes	
6. S17 M-10-019 Docket	
7. Third Circuit Appeals Court April 20, 2020 Opinion filed April 27, 2020 in CA, 19 cv 3191	
8. June 17, 2018 Docket for S18T-01-002	
9. June 26, 2018 Docket for S18T-01-002	
10. Docket S17 M 10-018	
11. Delaware State Code Title 25 Liens Ch. 29- 3 pages	
12. Delaware State Code Title 9 Ch. 87 Monitions -2 pages	
13. Notice of Fictitious Lien Affidavit	
14. Letter to District Court Judge filed October 26- detailing fraudulent conduct of Sussex County Atty. Jason Adkins	
15. Plaintiff Below/ Appellant Motion for Summary Judgment filed December 13, 2018	
16. Initial Complaint filed in US District Court 18 cv 01021- includes 6 pages	
17. District Court Docket- Document 21, pages 38-44 extra- additional information to add to punitive damages	
18. September 14, 2017 Email from Sussex Co. Atty. Jason Adkins- Proof that I Appellant was not an unknown owner- a requirement for using the Monition	

The Proceedings proceeding was undertaken in bad faith, to include fraud, theft, arson, unlawfulness, and personal greed. ALL ACTS COMMITTED WERE COMMITTED UNDER THE COLOR OF STATE LAW

CONCLUSION AND RELIEF REQUESTED
CERTIFICATE OF SERVICE

APPENDIX OF EXHIBITS ATTACHEDStart at

TABLE OF AUTHORITIES

28 USC 1332

28 USC 1291

42 USC 1983

Art II US Constitution

14th Amendment of US Constitution

1st Amendment of US Constitution

Title 9 De. Code 8722(d)

Delaware State Law Title 9 Del Code Chapter 87 Collection of Delinquent Taxes Subchapter II.
Monition Method of Sales, Specifically Code 8722 Praeipice, Judgment, Monition

Title 25 Chapter 29 specifically codes 2901(a)(1)(k), 2901(b)(1), 2901(b)(1)(7), 2903(b).

Title 25 Delaware State Codes CHAPTER 29. Liens of the State and/or Its Political Subdivisions

Delaware Superior Court Civil Rule 69

Delaware Court Rules of Civil Procedure Section II, Rule 3 Commencement of Civil Action.
Service Process.

CASE LAW

1. Moses H. Cone Mem. Hosp. v. Mercury Constr. Co., 460 U. S. 1, 15 (1983)
2. Noonan South, Inc. v. County of Volusia, 841 F. 2d 380, 383 (11th Cir. 1988)
3. Brand Marketing v. Intertek, No. 14-3010, . Decided: September 10, 201
4. Mitchell v. Forsyth, 472 U.S. 511, 524-30 (1985)

JURISDICTIONAL STATEMENT

(A) The District court had subject-matter jurisdiction of this case under 28 USC 1332 because there is complete diversity of citizenship between the parties, and the amount in controversy exceeds \$75,000.

(B) This appeal is from the district court's dismissing Plaintiff- Below- Appellant Motion for Summary Judgment as premature, leaving it dismissed, and terminating the civil case, without addressing my, Plaintiff -Below- Appellant's constitutional claim that gave rise to this complaint being filed in federal court. The termination of the civil case is a final order, and this Court has jurisdiction under 28 U. S. C. 1291. See Mitchell v. Forsyth, 472 U.S. 511, 524-30 (1985). United States Courts of Appeals " have jurisdiction of appeals from final decisions of the district courts of the United States....." 28 U. S. C. 1291.

(C) The District Court entered the Order Denying Defendant's Below- Appellees Motion to Dismiss and held that Plaintiff's Motion for Summary Judgment is premature, and it was to remain dismissed on February 1, 2021, and filed in the docket on February 2, 2021. Plaintiff- Below- Appellant timely filed a Notice of Appeal that was docketed on February 9, 2021.

STATEMENT OF ISSUE PRESENTED

The District Court terminated the civil case filed by Plaintiff- Below- Appellant dismissing Plaintiff Below- Appellant Motion for Summary Judgment ruling it to be Premature, and knowingly Judicially noticed the State Court Case C. A. S18T-01-002, in which the state court violated Plaintiff Below- Appellant's Constitutional Rights, and completed its adjudication of the case, despite referencing the term STAYED on the docket. See Plaintiff Below- Appellant Copy of State Court Docket marked as Appellant Exhibit No. 1.

The effect of the district court's action in this case is to deprive me, the Plaintiff- Below/ Appellant of not just a federal forum, but any forum for the resolution of the issues raised in my complaint to the district court in which my constitutional rights were violated by the Defendants- Below- Appellees.

Accordingly, did the district court err when it refused to exercise its jurisdiction over this case and resolve the issues raised, when there is no risk of piecemeal litigation, and there is no other forum presently available for resolution of this case which involves my constitutional rights being violated.

INTRODUCTION

This case involves criminal conduct, fraud, deceit, intentional infliction of emotional distress, bad faith, unconscionable, shocking, knowingly malicious, tortious interference with private property rights, deliberate indifference, and outright blatant and flagrant willful misconduct by the Defendant- Below Appellees who intentionally violated clearly established state laws and rules of court procedure, mislead and misrepresented facts to the court, fabricated documents for the sole purpose of taking away Plaintiff- Below- Appellants Rehoboth Beach private property for the benefit of wealthy developers- Downs & Hudson who Plaintiff- Below- Appellant refused to sell her private property too.

The appeal involves Plaintiff- Below- Appellant attempt to find a federal forum to resolve the issues raised in my complaint and pleadings to the court, so that I, Plaintiff- Below- Appellant can obtain a final judgment on the merits of my claims, obtain a monetary award for the conduct engaged in by the defendants against me, as well as an award of punitive damages for the delay in justice resulting from the defendants intentionally misleading the court - causing a delay in justice, and intentional infliction of emotional distress on me, the Plaintiff- Below- Appellant and my family for several years now. Appellant appeal also involve Appellant engaging in a long rigorous battle to have my private property rights protected and preserved against the fraudulent, heinous, shocking, malicious, and unconscionable acts of the defendants-below/ appellees in this case.

STATEMENT OF THE CASE

This case involves the unlawful taken of my Plaintiff- Below- Appellant private property (Real Estate) by the defendants below/ appellees using fraud and deceit, putting forth false and misleading information to the tribunal, in violation of my 14th Amendment Constitutional Rights as guaranteed by the United States Constitution, and the district court terminating the case, without hearing the merits of my claims, judicially noticing and deferring judgment to the State Court case C.A. S18 T-01-002, despite having jurisdiction for hearing constitutional claims.

The District Court on Page 4-5 of its Memorandum Opinion dated February 1, 2021, and filed on the docket on February 2, 2021, stated, "The Court takes judicial notice that the Superior Court case remains pending and is awaiting resolution. see Department of Finance of Sussex

Cty., v. Harmon Heirs, Civ. A. No. S 18T-01-002 (Del. Super. June 12, 2020)

The District Court Judge judicial notice of a completely adjudicated case, as noted by the attached State Court Docket Civ. A. No. S 18T-01-002, is contrary to due process of law, the district court's finding of fact, as well as the federal court's obligation to hear cases arising under Section 2 Article III of the United States Constitution. This is an intentionally false and misleading statement by the court. See Appellant Exhibit No. 1.

Based on this district court willful and flagrant misrepresentation of the facts, regarding a pending state court case that's awaiting resolution, the district court noted that my Motion for Summary Judgment was premature, and dismissed it and terminated the civil case, effectively depriving me, Plaintiff- Below- Appellant of not just a federal forum but any forum to have my federal rights litigated.

The district court made these statements with full knowledge that the state court's adjudication was complete because he reviewed the docket in order to judicially notice it. The district court was aware that the state officials disregarded the stay , and continued with their unlawful conduct that gave rise to Plaintiff seeking federal court intervention in this case.

The State Court via the Presiding Judge Stokes email to both myself and Mr. Rutt, dated November 6, 2018 at 4:34pm, noting, " Please provide me with your phone numbers to arrange a conference call tomorrow. I want to know your positions on whether the hearing set for Friday afternoon should be stayed given the federal case and if more hearing time would be necessary should the case proceed...." See Appellant Exhibit No. 2.

This represents the basis of the teleconference held on November 7, 2018. The Court did not hear nor entertain any motions as entered on the docket entry dated Nov. 7, 2018. The wording "Motion to Invalidate and Dismiss heard." This statement represents a false and misleading docket entry. The court held only a teleconference, and his emails to the Plaintiff-Below Appellant prove this fact.

Defendants falsely misled the district court that the Judge held a hearing, even abusing his discretion to have the Court Reporter to transcribe the teleconference and falsely used the term hearing, when a hearing over the issues was never had in the case. The State Court in its order dated July 6, 2018 noted all challenges to the monition were MOOT, (see Appellant Exhibit No. 3) and noted that I, the Appellant could only file an objection to the sheriff sale if I chose to do so by July 19, 2018. Further, in the state court's November 7, 2018 order, the state court,

stayed its proceeding to allow the federal court to adjudicate Appellant's federal claims (see Nov. 7, 2018 State Court Order Appellant Exhibit No. 4). Yet, the district court refuses to adjudicate Plaintiff below/ Appellant federal constitutional claims in this case.

Further the State Court letter from the presiding Judge Richard Stokes dated August 20, 2018, recognized the issues that were to be addressed on November 9, 2018. They were the Notice of Objection to the Sheriff sale, The Dept. of Finance of Sussex County's Response, my plaintiff below appellant Amended Notice of Objection, and my Motion to Dismiss. (See Appellant Exhibit No. 5)

The State court via Judge Stokes issued an order on November 7, 2018, recognizing the fact that a teleconference, not a hearing, as intentionally mischaracterized, as well as intentionally skewed by the defense counsel in this case in his pleadings to the district court, was held. (see Appellant Exhibit 4.)

More important, the State Court noted in its order dated November 7, 2018 that, "....Proceedings on this matter, {referring to Notice of Objection to the Sheriff sale, The Dept. of Finance of Sussex County's Response, my plaintiff below appellant Amended Notice of Objection, and my Motion to Dismiss} are STAYED, awaiting resolution of the related cases pending in United States District Court, District of Delaware CA 17 cv 01817 and CA 18-cv-1021..." See Appellant Exhibit No. 4.

A Stay by legal terms is the stoppage of an entire case or a specific proceeding , in the State Court Case. The Judge's November 7, 2018 order is clear that the case was to be STAYED, awaiting resolution of the related cases pending in United States District Court, District of Delaware CA-17 cv 01817 and CA 18-cv-1021. Clearly, litigation is not complete in CA-18-cv-1021, because an appeal was made. Yet, the docket entry shows evidence of continued disregard of the State's Court own order. The State docket is complete, and the case is effectively closed.

Plaintiff below/ Appellant after seeing the unlawful entries of the progression of the case, requested to have the stay lifted, only to be denied by the State Court as noted by the state court docket entries. See Appellant Exhibit No. 1.

The entry STAYED on the docket is for the sole purpose of misleading the federal court officials. There remains no case pending or waiting resolution as stated on page 4-5 of the district court Memorandum Opinion dated February 1, 2021.

However, the long standing practice in Delaware when land is sold pursuant to an appro-

appropriate execution process is as follows, "when there are no objections made to the sale, the sale is confirmed at the return term of the writ, as a matter of course, without any act or decree of the court; and a sale so confirmed is final in its character and effect, and cannot afterwards be inquired into, nor can its validity be controverted collaterally." Delaware Superior Court Civil Rule 69 echoes this practice, providing that, "sheriff's sales not objected to ... shall ... be confirmed as a matter of course."

In my Plaintiff Below- Appellant case, a timely objection was made and the Judge Stayed the proceedings. The procedures leading to the sheriff sale were not followed as the land taxes were not in default, the water and sewer bill was paid in full prior to the Court order authorizing the sheriff sale, and the Dept. of Finance never issued the first request for payment on the demolition cost, although Plaintiff Below- Appellant voluntarily paid money towards the demolition fees. The demolition took place after September 14, 2017, and defendants sought the cost of the demolition with legal fees and interest on October 16, 2017, according to the state court docket entry S17M-10-019 which was never legally litigated nor served on the property owners in accordance to Delaware Court Rules of Civil Procedure- Service Process.

The defendants did not follow applicable state laws Title 9- 8722 (d) monition & Title 25 Del. Code. 2903 & 2901 (LIENS), Delaware Rules of Civil Procedure Section II, Rule 3 Commencement of Civil Action. Service Process, and Delaware Rules of Civil Procedure 69. The laws and rules of court procedure were all violated by the defendants below/ appellees as well as the presiding judicial officer, and the State Court disregarded it's own STAY order.

Further, The district court noted that the Monition action was properly before its court but the district court failed to adjudicate the merits of the claims of constitutional deprivations that were properly before it. I, the Plaintiff below/ appellant continue to be distressed by the defendants handling of the Monition at the core of this case, and their manipulation of the judicial process via their deception and false and misleading pleadings to the tribunal.

This Appeals Court Opinion, in the first appeal of this district court action in the same case (C.A. 18 cv 1021 RGA), which was given the Third Circuit Appeals Docket No. 19-3191 dated April 27,2020, and filed in district court on June 4, 2020, clearly defined the facts that formed the basis of this federal case for the district court Judge to aid him. (see Appellant Exhibit No. 7)

The Third Circuit , stated, "...Harmon owned real property in Rehoboth Beach, Delaware.

In January 2018, Sussex County commenced a monition¹ action against Harmon to collect delinquent sewer and water bills and costs incurred when it demolished her fire-damaged home. Harmon claims that she paid the sewer and water bills, but that Sussex County and the individual defendants never consulted with her about the demolition costs, failed to give her notice of the monition action, charged excessively high interest on the demolition costs, and sold the property at a sheriff's sale without providing her with a reasonable time to pay the outstanding costs. She filed a complaint in District Court under 42 U.S.C. § 1983 alleging that the defendants had violated her constitutional rights.....¹ "Monition" is "a legal process in the nature of a summons or citation to appear and answer (as in default of performing some certain act)." Monition, Merriam-Webster's Unabridged Dictionary (2016). (See Appellant Exhibit No. 7)

When I found out about the Monition through a pleading filed by defendants in C. A. 17-1817-RGA, I realized that I had to file another claim in federal court, as a result of the unlawful action that culminated into a Monition, that was not mentioned in C. A. 17-1817- RGA because I did not have knowledge of the existence of the Monition. I had to file this action which formed the basis of my complaint in this case 18 cv 01021.

The State Court Docket on June 17, 2018 referenced the Monition as New. There were no docket entries listed for the Monition on June 17, 2018, as noted by downloaded copy of the docket taken from the Delaware Court Website on June 17, 2018. This docket entry is evidence of foul play, and indicate that the defendants engaged in deception by creating documents to make up a docket. It was sometime between the dates of June 17, 2018 and June 26, 2018, that docket entries were added to create the appearance that court action had taken place on January 12, 2018. Yet, no one in the state prothonotary office saw the need to docket the pleadings in the case until sometime between the dates of June 17, 2018 and June 26, 2018, as noted by copies of the docket referenced in this appendix as Exhibits No. 8 - the June 17, 2018 Court Docket & Exhibit No. 9 -the June 26, 2018 Court Docket.

Likewise, the defendants also manufactured two additional state court cases in an effort to fabricate a lien in Civil Action Numbers S 17M-10-018 (See Exhibit No. 10) Referencing a Water & Sewer bill for \$3021.84, a wholly exaggerated amount, and S17M-10-019 (See Exhibit No. 6) referencing the demolition fee of \$10888.93 which included interest and legal fees with less that 30 days after the actual demolition. There have been multiple amounts quoted on various documents for the demolition fee(s).

It appears that the defendants fabricated and created dockets and cases, when they became aware that I, Plaintiff Below- Appellant filed federal action in US District Court- Delaware. There are no indications on the docket that the defendants below/ appellees gave notice and the opportunity to be heard on the merits of the defendant below/ appellees allegations. The staff at the County water and sewer office in Sussex County, had no knowledge of the State action filed by Jason Adkins for the Water and Sewer. They could not give me Plaintiff below/ Appellant any information about the action. They were aware that I was making payments on the Water & Sewer balance without issue to their department.

The defendants below/ appellees violated clearly established Delaware Court Rules of Civil Procedure Section II, Rule 3 Commencement of Civil Action. Service Process, and Rule 69.

A lien was manufactured for show for the court, but never obtained in accordance with the law as noted by the State Court Dockets S17M-10-018 and S17M-10-019, nor did the defendants adhere to the Delaware State Law Title 25 Del. Code. 2903 Duration of lien. Section (b) notes that, "... In Kent and Sussex Counties, the lien for county and state taxes shall remain a lien for the period of 2 years..." (See Exhibit No. 11)

Code 2901(a)(1) of Title 25 addresses Lien of taxes and other charges, noting that (c) & (d) that charges from sewer and water systems fall within the category of liens that shall remain a lien for a period of two years.

In this case the defendants never properly obtained a lien on Oct 16, 2021, and acted with deliberate indifference to my federal right, outright failing to comply with Delaware State Law in this case. Their conduct is shocking to the conscience, that they can willfully, maliciously, and in bad faith and fraud, violated Delaware state laws and Rules of Court Procedure in flagrant disregard of my constitutional rights as guaranteed by the 14th Amendment to the United States Constitution, as if the US Constitution don't apply to me, Appellant. Their conduct in this case warrants the filing of criminal charges. The defendants represent a threat to the public and the judicial system at large. (See Exhibit No. 6 & 10)

The Monition that resulted from the above referenced misconduct was premised on fraud, deception, bad faith, ill will and intent, shocking to the conscious, blatant misrepresentation to the courts.

Delaware State Law Title 9 Code 8722(d) ...Monition states, "The tax collecting au-

thority for New Castle, Kent, and Sussex Counties may initiate and complete the monition process against any property designated by the authority as having an unknown owner for a continuous period in excess of 5 years....” I, Plaintiff below? Appellant was never an unknown owner. The defendants in bad faith, with ill intent, willfully violated clearly established state law in using the Monition in the State Court Case. See Exhibit No. 12.

Despite the fact that I, Plaintiff below/ Appellant had been in regular contact with the defendants prior to the Monition that was dated January 12, 2021, the defendants below/ appellees used the monition to avoid service of the Petition on the property owners. The defendants below/ appellant had my, appellant email address, phone number, and physical address as to where I was living at the time of the Monition. (See Exhibit No. 18- Email dated September 14, 2017 from Attorney Jason Adkins) Sadly, the defendants used the Monition, as opposed to legally serving the complaint in accordance to applicable Delaware Court Rules of Civil Procedure Section II, Rule 3 Commencement of Civil Action. Service Process. They secretly processed the Monition. By the time I, Plaintiff below/ Appellant was made aware of their conduct, any challenge to the Monition in the State Court was rendered MOOT. See Plaintiff Exhibit No. See Exhibit No. 3.

The defendants knowingly engaged in intentional/ willful dishonesty, fraud, deceit, and misrepresentation of facts to the district court in this case. Their conduct ultimately resulted in the unlawful taking and sheriff sale of my privately owned real estate, for a grossly inadequate price for commercially zoned beach real estate. The language of the Fourteenth Amendment requires the provision of due process when an interest in one’s “life, liberty or property” is threatened.

The effect of the district court conduct in ruling that my Plaintiff below/ Appellant Motion for Summary Judgement was premature, and terminating the case, resulted in me, Plaintiff below/ Appellant not just ----not having a federal forum to address the deprivation of my constitutional rights by the Defendants’ below/ Appellees, but not having any forum to address my federal rights.

To justify an award of punitive damages, the courts note that a fact-finder must determine that the defendant acted with a culpable state of mind, i.e. the fact finder must determine that the defendant acted with a culpable state of mind, i.e with reckless indifference to the rights of others. As noted above and throughout the pleadings in this case, the defendants under color of state law intentionally inflicted emotional distress and acted with specific intent to cause plaintiff be-

low/ appellant harm, by committing the above tortious acts accompanied with fraud, ill will, recklessness, wantonness, oppressiveness, and a flagrant/ willful disregard of not only the Model Rules of Professional Conduct for Lawyers, but Plaintiff below/ Appellants Constitutional Rights. They engaged in overall criminal conduct to further aggravate the injury they caused to the Plaintiff in acting as if the constitution did not apply to the Plaintiff below/ Appellant in this case. The defendant's repeated and multiple law violations and actions described in this case is so outrageous as to demonstrate willful, wanton, or reckless conduct.

In Brand Marketing v. Intertek, No. 14-3010, . Decided: September 10, 2015, The Third Circuit Court of Appeals, recognized that punitive damages are an "extreme remedy." They are penal in nature and are proper only in cases where the defendant's actions are so outrageous as to demonstrate willful, wanton, or reckless conduct. The penal and deterrent purpose served by punitive damages is furthered when the outrageous conduct occurs in a case sounding in negligence no less than when an intentional tort is at issue. The defendants knowingly and willfully acted with a culpable state of mind, with an evil motive, and showed reckless indifference to my Plaintiff- Below/ Appellants Constitutional Rights on multiple occasions in this action.

ADDITIONAL FACTS:

"The defendant's below/ appellants conduct was openly dectetful from the beginning with using the Monition Petition to avoid service of the monition by summons to the Plaintiff below/ Appellant. The defendants were in contact with the Plaintiff below/ Appellant by email, US Mail, and telephone contact. The *Monition Petition that is used exclusively for unknown owners that have been unknown for 5 years- allowed the defendants to leave notice on a vacant lot, as oppose to servicing the Monition petition in Accordance to Court Rules of Civil Procedure- There conduct is knowingly and intentionally fraudulent and unlawful- the district court has evidence to support their unlawfulness, but continues to ignore the facts in this case, going against all the Federal Courts were created for, to uphold and defend the constitution, an be a federal forum for citizens to have their constitutional claims adjudicated. I have multiple emails and written communication which proves that the defendant below/ appellees improperly used the monition petition for unknown owners- that was moot before I, the plaintiff below/ appellant new of its existence. This conduct rise to the level of a crime*) yet, in order to take possession of Plaintiff property, they filed a Monition petition which Title 9 C 8722(d) of Dela-

ware State Law notes is suppose to used for unknown owners that remained unknown for 5 consecutive years. The requirements to use the monition was not met. The home was demolished, so they left the monition petition on a vacant lot, to hide their conduct from the owners. There despicable conduct became known for the first time during discovery in case 17 cv 01817-RGA. By this time, challenging the petition was moot. Within 30 days of the demilition, the defendants sought full payment of the demolition cost, despite plaintiff below/ appellant making regular payment on her own to pay on the demolition cost while the district court addressed my federal complaint. There was never proper liens filed, and Delaware State Law governing the duration of the lien was violated by the defendants in this case. Federal intervention is needed to prevent a travesty of injustice that has taken place in this case. Cleary the conduct of the defendants is arbitrary and shocking to the conscience, and a violation of me and my families substantive and procedural due process rights, as well as my rights to equal protection under the law in conjunction with my 1st amendment right to the peaceful enjoyment of my privately owned beach property without government interference in this case.

STAGES OF THE PROCEEDINGS

On July 11, 2018, Plaintiff Below- Appellant Sandra Harmon, initiate this civil action against the Defendants Below- Appellees in US District Court- Delaware..

The action was filed due to the escalating and uncontrolled conduct of the defendants in selling my, Appellants privately owned Rehoboth Beach property at Sheriff Sale on June 19, 2018 in violation of my constitutional rights to due process both procedural and substantive, as well as my right to equal protection under the law, despite my water and sewer bill being paid in full, and the demolition of my home was being challenged in a related Civil Action -1:17 CV 01817.

On September 7. 2018 Defendants Below / Appellees answered by way of a Motion to Dismiss Based on Younger Abstention Doctrine.

On September 21, 2018 Plaintiff Below/ Appellant submitted an Answering Brief in Opposition of Defendants' Motion to Dismiss.

On October 26, 2018, Plaintiff Below/ Appellant sent a letter to Delaware District- US Attorney David Weiss, Delaware Dept. of Justice Attorney Matt Denn, US Dist. Court Judge Richard Andrews, and Delaware Superior Court Judge Richard Stokes notifying them of intentional misconduct of Jason Adkins- Attorney for Sussex County Administration Dept of Finance intentional misconduct and fraudulent date entered on the State Court Records. Specifically, the defendants fabricated a judgement for Water and Sewer in the name of my deceased husband LaMont Harmon. At the time of the fictitious judgment allegedly recorded 9/27/1999, that the defendants created for water and sewer, property owners in the Rehoboth Beach area were not required to pay for water or sewer because our home used a private well and septic system. Sussex County Administration did not require water and sewer to be connected to the county utilities until around 2008, when they adopted their ordinance 12/16/2008. See attached Docket Entry 11, marked as Appellant Exhibit No. 14.

On December 13, 2018, Plaintiff Below/ Appellant filed a Motion for Summary Judgment with Opening Brief in support. (Appellant Exhibit No. 15).

On December 27, 2018 Defendants Below/ Appellant filed an Answering Brief in Opposition to Summary Judgment.

On January 2, 2019 Plaintiff Below/ Appellant filed a Reply Brief for the Motion for Summary Judgment.

On January 8, 2019 Plaintiff Below/ Appellant filed a Corrected Reply Brief for the Motion for Summary Judgment.

Due to some level of confusion created by the defense counsel which appear to have been omitted from the docket, as there were corrections that the court required of Counsel for defense to a brief that was submitted by defense that necessitated a follow up response. Therefore, On February 11, 2019 I, Plaintiff Below- Appellant submitted a Reply Brief, which was labeled SUR-Reply Brief in Support of Motion for Summary Judgments along with an appendix of exhibits.

On August 20, 2019 the Court filed its Memorandum Opinion dated 8/19/2019 Granting Defendants Below/ Appellees Motion to Dismiss under Younger Abstention Doctrine; Dismissing Plaintiff Summary Judgment as moot, and terminating the civil case.

On August 26, 2019 Plaintiff Below- Appellant filed a Motion for Reconsideration.

On September 9, 2019 Defendants Below- Appellees filed a response to the Motion for Reargument.

On September 16, 2019 Plaintiff Below- Appellant filed a Reply to Motion for Reconsideration.

On September 23, 2019 Plaintiff Below- Appellant filed a Notice of Appeal to the Third Circuit.

On September 26, 2019 Plaintiff Below- Appellant Appeal was docketed in the Third Circuit Court of Appeals, Given it Case No. C.A. 19-cv-3191.

On October 7, 2019 the District Court Stayed the Appeal.

On October 8, 2019 The District Court filed its 10/7/2019 Denial of Plaintiff Below- Appellant Motion for Reconsideration.

On October 18, 2019 The Third Circuit Court of Appeals issued a Briefing Notice.

On October 30, 2019 Plaintiff Below- Appellant Opening Brief was filed.

On December 16, 2019 Defendant's Below- Appellee's Response Brief was filed.

On December 23, 2019 Plaintiff Below- Appellant Reply Brief was filed.

On April 20, 2020 The Appeal documents were submitted to a Three- Panel: SHWARTZ, RE-

STREPO, NYGAARD - Circuit Judges.

On April 27, 2020 Judgment was filed by the Court. It was Judgment, Ordered, and Adjudged that the Judgment of the District Court entered August 20, 2019, be vacated and the matter remanded. The Judge in its order gave aid to the district court by summarizing the basis of the case for the District Court Judge, specifically stating, "Harmon owned real property in Rehoboth Beach, Delaware. In January 2018, Sussex County commenced a monition¹ action against Harmon to collect delinquent sewer and water bills and costs incurred when it demolished her fire-damaged home. Harmon claims that she paid the sewer and water bills, but that Sussex County and the individual defendants never consulted with her about the demolition costs, failed to give her notice of the monition action, charged excessively high interest on the demolition costs, and sold the property at a sheriff's sale without providing her with a reasonable time to pay the outstanding costs. She filed a complaint in District Court under 42 U.S.C. § 1983 alleging that the defendants had violated her constitutional rights..... "Monition" is "a legal process in the nature of a summons or citation to appear and answer (as in default of performing some certain act)." Monition, Merriam-Webster's Unabridged Dictionary (2016)."

On June 4, 2020 The Appeals court issued the mandate to the District Court.

On February 2, 2021, the District Court filed its Opinion and Order denying Defendant's Below-Appellant Motion to Dismiss, Ordering that Plaintiff Motion for Summary Judgment remain dismissed, and terminating the case.

On February 3, 2021 Plaintiff placed a Notice of Appeal of the District Court decision filed February 2, 2021 in US Mail Prepaid postage. The Notice of Appeal was delivered and signed for on February 8, 2021, and was subsequently not able to be found by the Appellate Court Clerk's Office. After speaking with a supervisor at the Clerk's Office, I, Plaintiff Below -Appellant was asked to forward a copy of the Notice of Appeal and other documents sent along with the Appeal along with the United States Postal Services receipt of Delivery and Mailing. I, Plaintiff Below-Appellant forwarded the information through the emergency motions email. The Court representative was able to locate my filing, and apologized recognizing she didn't understand how or why

my information was not filing into the docket. She assured me that the information will be uploaded and properly docket for February 9, and after she made contact with the District Court to open the case on their end, and noted that she would provide me with a case number, which she did.

Therefore, on February 18, 2021, My Notice of Appeal was docketed for the date of February 9, 2021.

STANDARD OF REVIEW

The standard of review in this case is de novo.

QUESTIONS PRESENTED

1. Whether the district court erred in taking judicial notice of and basing its decision on a completely adjudicated/ closed Superior Court Case Civ. A. No. S 18T-01-002 that did not afford me, the Plaintiff/ Below -Appellant, an opportunity to raise my federal claims before a tribunal; deceptively stating in its order dated 2/1/2021 that the State case remains pending and awaiting resolution? See Exhibit No. _____
2. Whether the District Court erred when it terminated the civil case depriving me the Plaintiff- Below/ Appellant of not just a federal forum, but any forum to obtain a resolution of my federal claims, and obtain final judgment from the violations to my constitutional rights by the Defendants- Below- Appellees in this case?

SUMMARY OF THE ARGUMENT

The district Court erred in terminating this case dismissing Plaintiff Below/ Appellant Motion for Summary Judgment ruling it was Premature, stating that, ““The Court takes judicial notice that the Superior Court case remains pending and is awaiting resolution. Department of Finance of Sussex Cty., v. Harmon Heirs, Civ. A. No. S 18T-01-002 ” when adjudication completed in the case; thus, depriving me, Plaintiff Below - Appellant of any forum to have my federal

rights adjudicated. The U.S. Supreme Court has stated that federal district courts have “virtually unflagging obligation” to exercise the jurisdiction given to them. *Moses H. Cone Mem. Hosp. v. Mercury Constr. Co.*, 460 U. S. 1, 15 (1983). The extraordinary step of staying or dismissing an action in deference to a parallel state proceeding “should not be undertaken absent a danger of a serious waste of judicial resources.” *Noonan South, Inc. v. County of Volusia*, 841 F. 2d 380, 383 (11th Cir. 1988)

In this case, not only was there no danger of a waste of judicial resources, there is no state court case pending nor awaiting resolution. Simply put, there is no open state court case in this matter. The district’s court order left me, Plaintiff Below/ Appellant with no forum for the resolution of my federal claims, and no forum to obtain a final judgment on the federal claims raised in my complaint to the US District Court- Delaware.

Accordingly, the district court erred when it terminated this case dismissing Plaintiff Below/ Appellant Motion for Summary Judgment ruling it was Premature, taking judicial notice of a completely adjudicated Superior Court Case Civ. A. No. S 18T-01-002, falsely stating that the Superior Court case remains pending and is awaiting resolution, when again it is completely adjudicated and closed.

ARGUMENT

1.

The district court erred in taking judicial notice of and basing its decision on a completely adjudicated/ closed Superior Court Case Civ. A. No. S 18T-01-002 that did not afford me, the Plaintiff/ Below -Appellant, an opportunity to raise my federal claims before a tribunal; deceptively stating in its order dated 2/1/2021 that the State case remains pending and awaiting resolution? See Exhibit No. _____

The district court noted on page 4-5 of its Memorandum dated 2/1/2021, that, “....The Court takes judicial notice that the Superior Court case remains pending and is awaiting resolution See Department of Finance of Sussex Cty. v. Harmon Heirs, Civ. A. No. S18T-01-002....”

This statement is deceptive, and false and misleading, and egregious, because it violates

my constitutional rights , to a fair and impartial review of the facts in this case. It reflects bad faith. The Judge given deference to and relying on the counsel for the Defendants Below/ Appellees deception and misrepresentations believed that the state court case remained pending and awaited resolution, when in fact it was completely adjudicated and closed. see Exhibit it _____ The State Court Docket in the Department of Finance of Sussex Cty. v. Harmon Heirs, Civ. A. No. S18T-01-002.

The Judge failed to use his own skills to read over and become familiar with the facts of the case, although the Third Circuit Panel Judges gave him a summary of the case in it's decision dated April 27, 2020 in C. A. No. 19 cv 3191. The district court in this case, is clearly evading ruling on my, Plaintiff Below- Appellant's Motion for Summary Judgment in this case. The courts conduct in this case, as well as another related case presided over by the same Judge involving these defendants displays racial bias, partiality, wilful misconduct, abuse of process, and lack of integrity and candor, and demonstrates prejudicial conduct which bring the judicial office he hold in disrepute.

2.

The District Court erred when it terminated the civil case depriving me the Plaintiff- Below/ Appellant of not just a federal forum, but any forum to obtain a resolution of my federal claims, and obtain final judgment from the violations to my constitutional rights by the Defendants- Below- Appellees in this case.

The Supreme Court has instructed, if a state court forum does not present an "adequate vehicle for the complete and prompt resolution of the issues between parties, " then it is error for the district court to abstain in deference to the state court case. Moses H. Cone, 460 U.S. at 28. I, the Plaintiff Below/ Appellant was left without any forum for the resolution of my constitutional deprivation claims raised in my complaint to the district court, when the district court terminated this case. Again, the state court completely adjudicated its case without affording me, the Plaintiff -Below Appellant the opportunity to present and have my federal claims heard, and failed to have an administrative proceeding to hear my, Plaintiff Below- Appellant Objections to the Sheriff Sell of my privately owned real estate that was taken in violation of my, Plaintiff- Below/ Appellant Constitutional Rights.

Section 2 of Article III notes that federal courts are to hear all cases that arise under the Constitution, the laws of the United States or its treaties.

For the Constitution to have any meaning, there must be a forum to vindicate federal rights.

The U.S. Supreme Court has stated that federal district courts have “virtually unflagging obligation” to exercise the jurisdiction given to them. *Moses H. Cone Mem. Hosp. v. Mercury Constr. Co.*, 460 U. S. 1, 15 (1983).

The right to an impartial judge is based on the Due Process Clause of the United States Constitution. While a Judge performing Judicial functions may enjoy immunity, denial of constitutional and civil rights are absolutely not a judicial function and conflicts with any definition of a Judicial function.

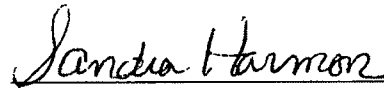
Accordingly, there was no justification for the district court terminating my civil case, and failing to hear my Motion for Summary Judgment in this case. By terminating this case, the district court has deprived me, Plaintiff Below/ Appellant not only of my chosen forum, but of any forum, for resolution of my federal claims. The district court erred when it terminated this case in deference to a state court case that it falsely claims is pending and awaiting resolution when in fact the litigation is complete and the case is closed with no more action. See Exhibit No. 1. (*Department of Finance of Sussex Cty. v. Harmon Heirs*, Civ. A. No. S18T-01-002).

CONCLUSION AND RELIEF REQUESTED

Nearly three (3) years after initiating what I thought was a fairly straight-forward Civil Rights Violation Action, I, Plaintiff Below/ Appellant is without a forum to obtain a final judgment on my Constitutional deprivation claims that resulted in the unlawful taking of my private property in violation of my 14th Amendment Right as guaranteed by the United States Constitution. The district's court termination of this case in deference to a closed and completely adjudicated state court case is violative of my constitutional right to seek redress of grievance to a court of law, and in this case a federal court.

Accordingly, I, Plaintiff Below/ Appellant requests that this Court reverse the district court decision as it relates to dismissing my Motion for Summary Judgment as premature, and is-

sue Summary Judgment in Favor of the Plaintiff Below/ Appellant in this case, without further delay, so that I Plaintiff Below- Appellant can obtain a final Judgment on the claims raised in my complaint. Also, Plaintiff below/ Appellant request of this court for an award of punitive damages in the amount of \$2,000000.00 to punish defendants-below/ appellees for their egregious conduct and deter them and others from future offenses as engaged in by the defendants below/ appellees in this case. As the defendants below/ appellees repeated egregious, multiple law violations, wanton, reckless conduct, intentionally inflicted emotional distress on the Plaintiff Below/ Appellant and her children. The Defendants Below/ Appellees acted with specific intent to cause plaintiff below/ appellant harm, committing the above tortious acts accompanied with fraud, ill will, recklessness, wantonness, oppressiveness, and a flagrant/ willful disregard of not only the Model Rules of Professional Conduct for Lawyers, but Plaintiff below/ Appellants Constitutional Rights. The defendants below/ Appellants engaged in overall criminal conduct to further aggravate the injury they caused to the Plaintiff in acting as if the constitution did not apply to me the Plaintiff below/ Appellant in this case. See also Appellant Exhibit No. 16, the Intial Complaint filed in 18 cv 01021.



Sandra Harmon
815 F Street
Hartsville, SC 29550
Sohara1966@aol.com
302-245-0299

Dated: 2/24/2021

Additional effects of the defendants unlawful conduct engaged in against the Plaintiff Below- Appellant. The defendants in the process of having the home demolished had their contractor to destroy and cover Plaintiff below/ Appellant water well that was in the ground in the front yard no where near the fire, having the contractor to dig all of defendants sewer lines up out the ground, that were not affected by the fire, just out right disabling the water and sewer lines to ensure that the lines could not be redirected to the Amish Built shed that was not damaged by the fire, but used during the weekends during the summer using a generator to keep the water pump running, along with the sewer lines for waste, the defendants made sure the property was rendered unusable. Plaintiff believe that circumstantial evidence of the defendants extreme determination to take away her property rights, using their unlawful tactics lend proof to a circumstantial case that the home was intentionally set afire by the defendants during my families long term absence from the home; as the strong smell of gasoline was throughout the remaining remnants of the home. Moreover, the fire resulted after Plaintiff below- Appellant refusal to sell her real estate after multiple requests from Down & Hudson, wealthy real estate developers that needed my Plaintiff below/ Appellant property in order to expand the beach condominiums that they are building on the street and required my property in order to expand and add more condos.

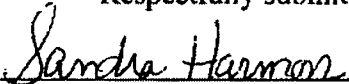
CERTIFICATE OF SERVICE

I, Plaintiff below/ Appellant Sandra Harmon certify that a true and correct copy of my, Plaintiff below/ Appellant Opening Brief was mailed US Mail prepaid postage to the following counsel for the Defendant below/ Appellee's on February 24, 2021.

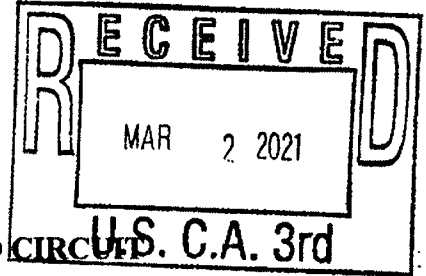
Kevin Conner & Artemio Aranilla Esq.
1007 N. Orange Street Ste. 600
Wilmington, Delaware 19899

Dated: February 24, 2021

Respectfully submitted,



Sandra Harmon
815 F Street
Hartsville, SC 29550



CASE NO. 21 CV 1317

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Sandra Harmon Plaintiff below- Appellant

VS.

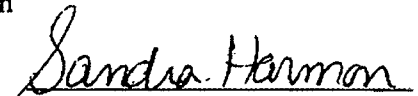
Department of Finance Sussex County, Delaware et. al.

Defendant below- Appellee

APPENDIX OF EXHIBITS ATTACHED

APPENDIX ENTRIES

1. State Court Docket S18T-01-002
2. Nov. 6, 2018 emails from State Court Judge Stokes- 3 pages
3. July 6, 2018 Order- Noting MOOT S18T-01-002
4. Nov. 7, 2018 STAY ORDER- S18T-01-002
5. August 20, 2018 Letter from Judge Stokes
6. S17 M-10-019 Docket
7. Third Circuit Appeals Court April 20, 2020 Opinion filed April 27, 2020 in CA, 19 cv 3191
8. June 17, 2018 Docket for S18T-01-002
9. June 26, 2018 Docket for S18T-01-002
10. Docket S17 M 10-018
11. Delaware State Code Title 25 Liens Ch. 29- 3 pages
12. Delaware State Code Title 9 Ch. 87 Monitions -2 pages
13. Notice of Fictitious Lien Affidavit
14. Letter to District Court Judge filed October 26- detailing fraudulent conduct of Sussex County Atty. Jason Adkins
15. Plaintiff Below/ Appellant Motion for Summary Judgment filed December 13, 2018
16. Initial Complaint filed in US District Court 18 cv 01021- includes 6 pages
17. District Court Docket- Document 21, pages 38-44 extra- additional information to add to punitive damages
18. September 14, 2017 Email from Sussex Co. Atty. Jason Adkins- Proof that I Appellant was not an unknown owner- a requirement for using the Monition



Sandra Harmon
815 F Street
Hartsville, SC 29550
302-245-0299

Dated: 2/24/2021

Report Selection Criteria

Case ID: S18T-01-002
 Docket Start Date:
 Docket Ending Date:

Exhibit #1

Case Description

Case ID: S18T-01-002 - SUSSEX COUNTY VS. LEROY WILLIAM HARMON
 Filing Date: Friday, January 12th, 2018
 Type: JM - MONITIONS JUDGMENT
 Status: STAYED - STAYED

Related Cases

No related cases were found.

Case Event Schedule

No case events were found.

Case Parties

Seq #	Assoc	Expn Date	Type	Name
1	11		PLAINTIFF	DEPARTMENT OF FINANCE OF SUSSEX COUNTY
Address: unavailable		Aliases: none		
3			DEFENDANT	HARMON, LEROY WILLIAM
Address: unavailable		Aliases: none		
4			DEFENDANT	HARMON SR, LEFTON
Address: unavailable		Aliases: none		
5			DEFENDANT	HARMON, SANDRA J.
Address: 815 F. STREET HARTSVILLE SC 29550		Aliases: none		
6			JUDGE	*JUDGMENT, JUDGE SUSSEX
Address: SUPERIOR COURT SUSSEX CO 1 THE CIRCLE, SUITE 2 GEORGETOWN DE 19947		Aliases: none		
7			SHERIFF	KENT COUNTY, SHERIFF
Address: unavailable		Aliases: none		
8			SHERIFF	NEW CASTLE COUNTY, SHERIFF
Address: 87 READS WAY NEW CASTLE DE 19720		Aliases: none		

11			ATTORNEY FOR PLAINTIFF	RUTT, DAVID N
Address:	830 S. DUPONT HIGHWAY MILFORD DE 19963		Aliases:	none
12			ATTORNEY FOR PLAINTIFF	ADAMS, RYAN T
Address:	MOORE AND RUTT, PA 122 W MARKET STREET GEORGETOWN DE 199470000		Aliases:	none
13	12		PLAINTIFF	DEPARTMENT OF FINANCE OF SUSSEX COUNTY
Address:	unavailable		Aliases:	none
14			ATTORNEY	KERRICK, DANIEL C
Address:	HOGAN & VEITH, P.A. 1311 DELAWARE AVENUE WILMINGTON DE 198060000		Aliases:	none

Docket Entries

Filing Date	Description	Name	Monetary
12-JAN-2018 10:18 AM	INIT FILING MONITIONS		
Entry:	INITIAL FILING MONITIONS DATE DOCKETED: JANUARY 13, 2018		
12-JAN-2018 10:18 AM	INITIAL COMPLAINT		
Entry:	INITIAL COMPLAINT DATE DOCKETED: JANUARY 13, 2018 COMPLAINT FOR ENTRY OF JUDGMENT ON MONITION FILED. TAX MAP PARCEL NO.: 3-34-19.08-27.00 DESCRIPTION: 37533 OYSTER HOUSE ROAD, N/RD 273-C, W/LEWES-REHO CANAL, REHOBOTH BEACH, DELAWARE 19971 TAX YEARS: 2013-2017 AMOUNT: \$14,400.77 (JASON ADKINS) EXHIBIT A TAX MAP EXHIBIT B BILLING PRAECIPE MONITION ACCEPTED BY: BC TRANSACTION ID: 61562087		
18-JAN-2018 01:44 PM	WRIT ISSUED		
Entry:	MONITION WRIT ISSUED ON 1/18/2018 - BC DATE DOCKETED: JANUARY 18, 2018		
24-JAN-2018 03:34 PM	WRIT RETURN (GENERIC)		
Entry:	WRIT RETURNED: DATE DOCKETED: JANUARY 25, 2018 WRIT RETURNED 1-24-2018 MONITION WAS POSTED ON THE PROPERTY ON 1-23-2018 ACCEPTED BY: BC TRANSACTION ID: 61606349		
12-APR-2018 01:11 PM	VEND EX (VENDITIONI EXPONAS)		
Entry:	PRAECIPE FOR: VEND EX (VENDITIONI EXPONAS) DATE DOCKETED: APRIL 13, 2018 VEND EX EXHIBIT A TAX MAP PRAECIPE ACCEPTED BY: BC TRANSACTION ID: 61910829		

16-APR-2018 12:47 PM	EXECUTION WRIT ISSUED		
Entry:	VEND EX WRIT ISSUED 4/16/2018 - BC DATE DOCKETED: APRIL 16, 2018		
08-JUN-2018 11:59 AM	MOTION TO DISMISS		
Entry:	MOTION TO DISMISS DATE DOCKETED: JUNE 9, 2018 DEFENDANT'S MOTION TO DISMISS FILED 6-8-2018 MOTION FOR EMERGENCY AND PRELIMINARY INJUNCTION FILED IN US DISTRICT COURT AND THIRD CIRCUIT COURT OF APPEALS EXHIBIT 1 EXHIBIT 2 EXHIBIT 3 ACCEPTED BY: BC TRANSACTION ID: 62117391		
13-JUN-2018 08:13 AM	CIVIL RULE 69 (G)	ADKINS, JASON W	
Entry:	NOTICE TO LIENHOLDERS OF SHERIFF'S SALE AND PROOF OF POSTING PURSUANT TO SUPERIOR COURT CIVIL RULE 69 (G) FILED DATE DOCKETED: JUNE 14, 2018 AFFIDAVIT OF PROOF OF MAILING EXHIBIT A NOTICE TO LIENHOLDERS EXHIBIT B RECEIPTS EXHIBIT C AFFIDAVIT OF POSTING EXHIBIT D RETURN RECEIPT CARDS EXHIBITS E-G RETURNED ENVELOPES CERTIFICATE OF SERVICE ACCEPTED BY: BC TRANSACTION ID: 62132659		
13-JUN-2018 02:26 PM	RESPONSE	ADKINS, JASON W	
Entry:	RESPONSE DATE DOCKETED: JUNE 14, 2018 RESPONSE TO MOTION TO DISMISS FILED BY DEFENDANT SANDRA HARMON (JASON W. ADKINS) EXHIBIT A EXHIBIT B EXHIBIT C CERTIFICATE OF SERVICE ACCEPTED BY: BC TRANSACTION ID: 62135013		
18-JUN-2018 01:38 PM	NOTICE		
Entry:	NOTICE DATE DOCKETED: JUNE 19, 2018 COPY OF US DISTRICT COURT FILING OF MOTION TO ATTACH RECEIPT FOR FULL PAYMENT FILED 6-18-2018 ACCEPTED BY: BC TRANSACTION ID: 62148941		
18-JUN-2018 04:15 PM	ORDER		
Entry:	ORDER DATE DOCKETED: JUNE 19, 2018 ORDER SIGNED BY JUDGE RICHARD F. STOKES 6-18-2018 THE COURT DECLINES TO GRANT PLAINTIFF'S MOTION. THE SALE MAY PROCEED AS SCHEDULED ON JUNE 19, 2018 ACCEPTED BY: BC TRANSACTION ID: 62150259		
19-JUN-2018 12:58 PM	NOTICE		
Entry:	NOTICE DATE DOCKETED: JUNE 20, 2018 NOTICE OF LIS PENDENS FILED IN THE RECORDER OF DEEDS 6-19-2018 ACCEPTED BY: BC TRANSACTION ID: 62153216		
21-JUN-2018 12:28 PM	MOTION		
Entry:	MOTION DATE DOCKETED: JUNE 22, 2018 DEFENDANT'S MOTION TO INVALIDATE AND DISMISS ACTION FILED 6-21-2018 ACCEPTED BY: BC TRANSACTION ID: 62161685		
26-JUN-2018 09:29 AM	RESPONSE	ADKINS, JASON W	
Entry:	RESPONSE DATE DOCKETED: JUNE 27, 2018 RESPONSE TO DEFENDANT SANDRA J. HARMON'S		

MOTION TO INVALIDATE AND DISMISS THIS ACTION EXHIBIT . DOCKET CERTIFICATE OF SERVICE
ACCEPTED BY: BC TRANSACTION ID: 62174066

06-JUL-2018 12:35 PM	LETTER		
Entry:	LETTER DATE DOCKETED: JULY 7, 2018 LETTER FROM JUDGE RICHARD F. STOKES TO LITIGANT AND COUNSEL FILED 7-6-2018 RE: MOTION TO INVALIDATE AND DISMISS IS MOOT ACCEPTED BY: BC TRANSACTION ID: 62209273		
12-JUL-2018 12:16 PM	NOTICE		
Entry:	NOTICE DATE DOCKETED: JULY 13, 2018 NOTICE OF OBJECTION TO SELL FILED 7-12-2018 ACCEPTED BY: BC TRANSACTION ID: 62232967		
16-JUL-2018 12:35 PM	WRIT RETURN (GENERIC)		
Entry:	WRIT RETURNED: DATE DOCKETED: JULY 17, 2018 WRIT RETURNED 7-16-2018 LANDS AND TENEMENTS ADVERTISED AND SOLD ON 6-19-2018 TO WAYNE HUDSON, THEY BEING THE BEST AND HIGHEST BIDDER, FOR THE SUM OF \$113,500.00 THAT BEING THE BEST AND HIGHEST BID ACCEPTED BY: BC TRANSACTION ID: 62242459		
20-JUL-2018 03:16 PM	LETTER		
Entry:	LETTER DATE DOCKETED: JULY 21, 2018 LETTER FROM RICHARD F. STOKES TO LITIGANTS FILED 7-20-2018 RE: THE COURT REQUESTS THE DEPARTMENT OF FINANCE OF SUSSEX COUNTY FILE A RESPONSE TO THIS OBJECTION ON OR BEFORE FRIDAY, AUGUST 3, 2018. ACCEPTED BY: BC TRANSACTION ID: 62261494		
31-JUL-2018 11:12 AM	RESPONSE	ADKINS, JASON W	
Entry:	RESPONSE DATE DOCKETED: AUGUST 1, 2018 GENERAL RESPONSE TO NOTICE OF OBJECTION TO SELL EXHIBIT A EXHIBIT B EXHIBIT C EXHIBIT D CERTIFICATE OF SERVICE ACCEPTED BY: BC TRANSACTION ID: 62289774		
07-AUG-2018 12:53 PM	NOTICE		
Entry:	NOTICE DATE DOCKETED: AUGUST 8, 2018 AMENDED NOTICE OF OBJECTION TO SELL FILED 8-6-2018 ACCEPTED BY: BC TRANSACTION ID: 62318855		
09-AUG-2018 12:13 PM	MOTION		
Entry:	MOTION DATE DOCKETED: AUGUST 10, 2018 MOTION TO DISMISS FILED 8-9-2018 ACCEPTED BY: BC TRANSACTION ID: 62329527		
20-AUG-2018 01:35 PM	LETTER		
Entry:	LETTER DATE DOCKETED: AUGUST 21, 2018 LETTER ORDER SIGNED BY JUDGE RICHARD F. STOKES 8-20-2018 THE PARTIES ARE ORDERED TO APPEAR IN PERSON ON FRIDAY, NOVEMBER 9, 2018 AT 1:00 PM TO CLARIFY ARGUMENTS ACCEPTED BY: BC TRANSACTION ID: 62364383		
27-SEP-2018 10:13 AM	SUBSTITUTION OF COUNSEL	ADKINS, JASON W	

Entry:	SUBSTITUTION OF COUNSEL DATE DOCKETED: SEPTEMBER 28, 2018 JASON W. ADKINS WITHDRAWS AND DAVID N. RUTT AND RYAN T. ADAMS HEREBY ENTER THEIR APPEARANCE ON BEHALF OF PLAINTIFF, DEPARTMENT OF FINANCE OF SUSSEX COUNTY ACCEPTED BY: BC TRANSACTION ID: 62494920		
26-OCT-2018 02:41 PM	LETTER		
Entry:	LETTER DATE DOCKETED: OCTOBER 27, 2018 LETTER FROM SANDRA HARMON TO THE COURT FILED 10-26-2018 RE: (SUPPLEMENTAL EXHIBIT) ACCEPTED BY: GGM TRANSACTION ID: 62601626		
02-NOV-2018 03:09 PM	LETTER		
Entry:	LETTER FROM KENDRA MILLS, CASE MANAGER TO COUNSEL AND SANDRA HARMON 11-2-2018 RE: NOTIFICATION THAT THE HEARING SCHEDULED FOR FRIDAY, NOVEMBER 9, 2018 WILL BEGIN PROMPTLY AT 1:00 P.M. THE COURT HAS ALLOWED TWO (2) HOURS FOR THE HEARING. THIS MATTER WILL CONCLUDE BEFORE OR NO LATER THAN 3:00 P.M. ACCEPTED BY: KDM TRANSACTION ID: 62625403		
07-NOV-2018 03:16 PM	OFFICE CONFERENCE HELD		
Entry:	TELECONFERENCE HELD JUDGE RICHARD F. STOKES PRESIDING DEFENDANT SANDRA HARMON'S MOTION TO INVALIDATE AND DISMISS HEARD; THIS MATTER IS STAYED AND HELD IN ABEYANCE UNTIL A RESOLUTION OF THE RELATED FEDERAL CASE. DATE DOCKETED: NOVEMBER 7, 2018		
07-NOV-2018 03:21 PM	JUDICIAL ACTION FORM		
Entry:	JUDICIAL ACTION FORM DATE DOCKETED: NOVEMBER 8, 2018 JUDICIAL ACTION FORM FROM TELECONFERENCE BEFORE JUDGE RICHARD F. STOKES ON 11-7-2018 ACCEPTED BY: KDM TRANSACTION ID: 62645809		
07-NOV-2018 03:51 PM	ORDER		
Entry:	LETTER ORDER FROM JUDGE RICHARD F. STOKES TO SANDRA HARMON AND DAVID N. RUTT, ESQUIRE 11-7-2018 FOR THE REASONS STATED ON THE RECORD AT THE TELECONFERENCE TODAY, PROCEEDINGS ON THIS MATTER ARE STAYED, AWAITING RESOLUTION OF THE RELATED CASES PENDING IN THE UNITED STATES DISTRICT COURT, DISTRICT OF DELAWARE (HARMON VS. SUSSEX COUNTY, C.A. 17-CV-01817 AND HARMON VS. ADKINS AND DEPARTMENT OF FINANCE, C.A. 18-CV-1021) THE HEARING SCHEDULED FOR 11-9-2018 IS REMOVED FROM THE COURT'S CALENDAR. DATE DOCKETED: NOVEMBER 8, 2018 ACCEPTED BY: KDM TRANSACTION ID: 62646396		
09-NOV-2018 01:31 PM	NOTICE		
Entry:	NOTICE DATE DOCKETED: NOVEMBER 10, 2018 LETTER DATED 11-2-2018 ADDRESSED TO SANDRA HARMON RETURNED BY THE POST OFFICE ON 11-9-2018 MARKED "RETURNED TO SENDER - NO SUCH NUMBER - UNABLE TO FORWARD" ACCEPTED BY: GGM TRANSACTION ID: 62654880		
30-NOV-2018 11:30 AM	NOTICE		
Entry:	NOTICE DATE DOCKETED: DECEMBER 1, 2018 COPY OF MANDAMUS FILED IN SUPREME COURT EXHIBITS 1-2 EXHIBITS 3-6 ACCEPTED BY: BC TRANSACTION ID: 62710923		
06-DEC-2018 02:14 PM	NOTICE		

Entry:	NOTICE DATE DOCKETED: DECEMBER 7, 2018 COPY OF MANDAMUS FILED IN SUPREME COURT 12-6-2018 ACCEPTED BY: GGM TRANSACTION ID: 62733381		
19-DEC-2018 08:47 AM	MANDATE FROM SUPREME COURT		
Entry:	MANDATE AND RECORD FROM THE SUPREME COURT DATE DOCKETED: DECEMBER 20, 2018 CERTIFIED COPY OF ORDER DATED 12-3-18, TO THE CLERK OF COURT BELOW. CASE CLOSED. IT IS ORDERED THAT THE PETITION FOR THE ISSUANCE OF A WRIT OF MANDAMUS IS DISMISSED. ACCEPTED BY: GGM TRANSACTION ID: 62783284		
19-DEC-2018 10:34 AM	TRANSCRIPT FILED		
Entry:	TRANSCRIPT FILED DATE DOCKETED: DECEMBER 20, 2018 TRANSCRIPT OF TELECONFERENCE HELD ON 11-7-18 BEFORE THE HONORABLE RICHARD F. STOKES, FILED BY KATHY HAYNES, OFFICIAL COURT REPORTER. ACCEPTED BY: GGM TRANSACTION ID: 62783780		
19-JUN-2019 01:59 PM	AFFIDAVIT OF NON-REDEMPTION	ADAMS, RYAN T	
Entry:	AFFIDAVIT OF NON-REDEMPTION DATE DOCKETED: JUNE 20, 2019 AFFIDAVIT OF NON-REDEMPTION ACCEPTED BY: GGM TRANSACTION ID: 63378513		
11-JUL-2019 08:06 AM	WRIT RETURN (GENERIC)		
Entry:	WRIT RETURNED: DATE DOCKETED: JULY 12, 2019 AMENDED WRIT RETURNED 7-11-2019 LANDS AND TENEMENTS ADVERTISED AND SOLD ON 6-19-2018 TO WAYNE D. HUDSON, ROBERT J. DOWNES AND DAVID R. DOWNES, THEY BEING THE BEST AND HIGHEST BIDDER, FOR THE SUM OF \$113,500.00 THAT BEING THE BEST AND HIGHEST BID ACCEPTED BY: BC TRANSACTION ID: 63533834		
19-JUL-2019 05:22 PM	NOTICE		
Entry:	RECEIVED FROM THE SHERIFF OF SUSSEX COUNTY, CHECK NUMBER 5554, IN THE AMOUNT OF \$88,653.29 FOR EXCESS PROCEEDS - MT DATE DOCKETED: JULY 19, 2019		
06-AUG-2019 12:09 PM	RECEIPT FILED		
Entry:	A Payment of -\$88,653.29 was made on receipt SCU9332431		
22-APR-2020 09:05 AM	MOTION		
Entry:	MOTION DATE DOCKETED: APRIL 23, 2020 DEFENDANTS MOTION TO LIFT STAY AND PROCEED WITH HEARING ON NOTICE OF OBJECTION TO SHERIFF SALE (PRO SE) ACCEPTED BY: SB TRANSACTION ID: 65592280		
04-MAY-2020 04:25 PM	RESPONSE	RUTT, DAVID N	
Entry:	RESPONSE DATE DOCKETED: MAY 6, 2020 PLAINTIFF'S REPLY TO MOTION TO LIFT STAY AND PROCEED WITH HEARING ON NOTICE OF OBJECTION TO SHERIFF SALE (DAVID N. RUTT) PROPOSED ORDER EXHIBITS 1 THROUGH 5 TO REPLY MOTION CERTIFICATE OF SERVICE ACCEPTED BY: SB TRANSACTION ID: 65615394		
15-MAY-2020	RESPONSE		

01:02 PM			
Entry:	RESPONSE DATE DOCKETED: MAY 16, 2020 DEFENDANT'S RESPONSE TO DEPARTMENT OF FINANCE, OBJECTION TO LIFTING OF STAY ACCEPTED BY: SB TRANSACTION ID: 65639249		
12-JUN-2020 12:24 PM	ORDER		
Entry:	ORDER DATE DOCKETED: JUNE 13, 2020 ORDER SIGNED BY JUDGE RICHARD F. STOKES ON 6-12-20. IT IS ORDERED THAT MS. HARMON'S MOTION TO LIFT THE STAY IS DENIED. ACCEPTED BY: MMT TRANSACTION ID: 65695471 (ORDER SENT TO MS. HARMON IN ENVELOPE PROVIDED BY TINA)		
21-SEP-2020 01:14 PM	NOTICE		
Entry:	NOTICE OF LEFTON HARMON, SR. FILING PETITION FOR EXCESS SHERIFF PROCEEDS (S20M-09-016) - TO CLAIM HALF DATE DOCKETED: SEPTEMBER 21, 2020		
06-OCT-2020 04:58 PM	SHERIFF PROCEEDS DISBURSE REQ		
Entry:	S20M-09-016 ORDER TO DISBURSE HALF OF EXCESS SHERIFF PROCEEDS REC'D IN ACCOUNTING-DM DATE DOCKETED: OCTOBER 6, 2020		
07-OCT-2020 02:58 PM	NOTICE		
Entry:	DISBURSEMENT OF 1/2 THE SHERIFF PROCEEDS PROCESSED - SEE ORDER ON CASE S20M-09-016-DM DATE DOCKETED: OCTOBER 21, 2020		

11/7/2018

Case 1:18-cv-01021-RGA Document 12 Filed 11/09/18 Page 2 of 50 PageID #: 144

From: Stokes, Richard F (Courts) <Richard.Stokes@state.de.us>

To: Sohara1986@aol.com <Sohara1986@aol.com>

Cc: dnrutt@mooreandrutt.com <dnrutt@mooreandrutt.com>; Sanchez, Tina L (Courts) <Tina.Sanchez@state.de.us>

Subject: Dept of Finance v Leroy Harmon Heirs et al S18T-01-002

Date: Tue, Nov 6, 2018 4:34 pm

Exhibit # 2

includes 3 pages

Dear Ms Harmon and Mr Rutt,

Please provide me with your phone numbers to arrange a conference call tomorrow. I want to know your positions on whether the hearing set for Friday afternoon should be stayed given the federal case and if more hearing time would be necessary should the case proceed. I will give the numbers to Tina Sanchez, my executive assistant, and we will take it from there. Thank you. Richard Stokes

1 of 3

11/7/2018

11/6/2018

Re: Dept of Finance v Leroy Harmon Heirs et al S18T-01-002

From: sohara1988 <sohara1988@aol.com>
To: Richard Stokes <Richard.Stokes@state.de.us>
Subject: Re: Dept of Finance v Leroy Harmon Heirs et al S18T-01-002
Date: Tue, Nov 6, 2018 5:01 pm

I have taken off time from work, and I would like the hearing to proceed as scheduled. My contact number is 302-245-0299.

-----Original Message-----

From: Stokes, Richard F (Courts) <Richard.Stokes@state.de.us>
To: Sohara1988@aol.com <Sohara1988@aol.com>
Cc: dmrtt@moorandnutt.com <dmrtt@moorandnutt.com>; Sanchez, Tina L (Courts) <Tina.Sanchez@state.de.us>
Sent: Tue, Nov 6, 2018 4:34 pm
Subject: Dept of Finance v Leroy Harmon Heirs et al S18T-01-002

Dear Ms Harmon and Mr Nutt,
Please provide me with your phone numbers to arrange a conference call tomorrow. I want to know your positions on whether the hearing set for Friday afternoon should be stayed given the federal case and if more hearing time would be necessary should the case proceed. I will give the numbers to Tina Sanchez, my executive assistant, and we will take it from there. Thank you. Richard Stokes

TB: Judge Stokes

Email received today
6 Nov 2018

We don't want no further delay
in this case. As noted every party
received notice since August 20, 2018
less move forward with the Nov 9th 2018
hearing without further delay. It's to
much corruption taken place in this case
let's have the hearing as scheduled.

<https://mail.uscourts.gov/mail.action?ui=PaulKFreego>

2 of 3

19

11/7/2018

Case 1:18-cv-01021-RGA Document 12 Filed 11/09/18 Page 4 of 50 PageID #: 146

From: David Rutt <dnrutt@mooreandrutt.com>

To: Stokes, Richard F (Courts) <Richard.Stokes@state.de.us>

Cc: Sohara1966@aol.com <Sohara1966@aol.com>; Sanchez, Tina L (Courts) <Tina.Sanchez@state.de.us>

Subject: Re: Dept of Finance v Leroy Harmon Heirs et al S18T-01-002

Date: Tue, Nov 6, 2018 10:07 pm

Good evening Judge Stokes,

I will be in my Milford office tomorrow. The number is 424-2240. I have two appointments. The first is 9:30 - 10:30 and the second is at 3:00 - 4:00. Otherwise I will be available for the teleconference. Thank you.

David Rutt

Sent from my iPad

On Nov 6, 2018, at 4:34 PM, Stokes, Richard F (Courts) <Richard.Stokes@state.de.us> wrote:

Dear Ms Harmon and Mr Rutt,

Please provide me with your phone numbers to arrange a conference call tomorrow. I want to know your positions on whether the hearing set for Friday afternoon should be stayed given the federal case and if more hearing time would be necessary should the case proceed. I will give the numbers to Tina Sanchez, my executive assistant, and we will take it from there. Thank you. Richard Stokes

3043

Exhibit #3

62249111

SUPERIOR COURT
OF THE
STATE OF DELAWARE

RICHARD F. STOKES
JUDGE

SUSSEX COUNTY COURTHOUSE
1 THE CIRCLE, SUITE 2
GEORGETOWN, DELAWARE 19947
TELEPHONE (302) 856-5264

July 6, 2018

Sandra Harmon
815 F. Street
Hartsville, South Carolina 29550

Jason W. Adkins, Esquire
Moore & Rutz, P.A.
122 West Market Street
Georgetown, Delaware 19947

Re: *Department of Finance of Sussex County v. Leroy William Harmon Hairs*,
C.A. No. S18T-01-002
Tax Map Parcel No. 3-34-19.00-27.00

Dear Ms. Harmon and Counsel,

The Court is in receipt of Ms. Harmon's Motion to Invalidate and Dismiss This Action Due to Conflict of Interest, Perjury, Violation of Model Rules of Professional Conduct for Lawyers & Improper Procedures Used by Counsel for Plaintiff, dated June 18, 2018.

By way of Order, dated June 18, 2018, the Court denied Ms. Harmon's then-pending Motion to Dismiss this action and allowed the motions sale to proceed on June 19, 2018. As a result, Ms. Harmon's Motion to Invalidate and Dismiss the case is MOOT.

However, and as noted in the Court's Order, Ms. Harmon may file an objection to the sale with the Court on or before Thursday, July, 19, 2018. If Ms. Harmon elects to do so, the Court requests that she specify *with particularity* the nature of her objection to the sale.

Very truly yours,


Richard F. Stokes

cc: Prothonotary

FILED PROTHONOTARY
SUSSEX COUNTY
2018 JUL -6 PM 12:29

Exhibit #4

R.56W Exhibit
#8

SUPERIOR COURT
OF THE
STATE OF DELAWARE

RICHARD F. STOKES
RESIDENT JUDGE

SUSSEX COUNTY COURTHOUSE
1 THE CIRCLE, SUITE 2
GEORGETOWN, DELAWARE 19947
TELEPHONE (302) 856-5264

November 7, 2018

Sandra Harmon
815 F. Street
Hartsville, South Carolina 29550

David N. Rutt, Esquire
Moore & Rutt, P.A.
122 West Market Street
Georgetown, Delaware 19947

Re: *Department of Finance of Sussex County v. Leroy William Harmon Heirs*,
C.A. No. S18T-01-002
Tax Map Parcel No. 3-34-19.08-27.00

Dear Ms. Harmon and Counsel,

For the reasons stated on the record at the teleconference that took place between the Court, Ms. Harmon, and Mr. Rutt on November 7, 2018, proceedings on this matter are STAYED, awaiting the resolution of the related cases pending in United States District Court, District of Delaware (*Harmon v. Sussex County*, C.A. 17-cv-01817 and *Harmon v. Atkins & Department of Finance*, C.A. 18-cv-1021).

The hearing scheduled for Friday, November 9, 2018, is REMOVED from the Court's calendar. The parties need not appear in Superior Court on that date.

IT IS SO ORDERED.

Very truly yours,


Richard F. Stokes

cc: Prothonotary

cc: Leroy William Harmon Heirs

The-15

11/7/2018

Exhibit #5

62364383

SUPERIOR COURT
OF THE
STATE OF DELAWARE

RICHARD F. STOKES
JUDGE

SUSSEX COUNTY COURTHOUSE
1 THE CIRCLE, SUITE 2
GEORGETOWN, DELAWARE 19947
TELEPHONE (302) 856-5264

August 20, 2018

Sandra Harmon
[REDACTED]

Jason W. Adkins, Esquire
Moore & Rutt, P.A.
122 West Market Street
Georgetown, Delaware 19947

Re: Department of Finance of Sussex County v. Leroy William Harmon Heirs,
C.A. No. S18T-01-002
Tax Map Parcel No. 3-34-19.08-27.00

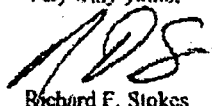
Dear Ms. Harmon and Counsel,

The Court is in receipt of Ms. Harmon's Notice of Objection, the Department of Finance of Sussex County's Response thereto, Ms. Harmon's Amended Notice of Objection, and Ms. Harmon's Motion to Dismiss. The Court would like Ms. Harmon to clarify her arguments. Accordingly, the Court is ordering the parties to appear in Superior Court in Sussex County, Delaware, on Friday, November 9, 2018, at 1:00 p.m. Ms. Harmon must appear in person; her failure to appear will result in the dismissal of any objection to the monitions sale.

The Court requests that Ms. Harmon bring with her any and all documentation in support of her objection to the sale. The County should be prepared to document the notice given to the property owners of the above-referenced tax parcel and otherwise detail the process used to effectuate the monitions sale. If the parties prepare appropriately, the Court is hopeful it will be able to define what issues, if any, are properly before it at this time.

IT IS SO ORDERED.

Very truly yours,


Richard F. Stokes

2018 AUG 20 PM 1:21

FILED
SUSSEX COUNTY

Report Selection Criteria*Exhibit #6*

Case ID: S17M-10-019
 Docket Start Date:
 Docket Ending Date:

Case Description

Case ID: S17M-10-019 - SUSSEX COUNTY VS LEROY WILLIAM HARMON
 Filing Date: Monday, October 16th, 2017
 Type: MQ - SELL REAL ESTATE FOR PROP TAX
 Status: CLOSED - CLOSED

Related Cases

No related cases were found.

Case Event Schedule

No case events were found.

Case Parties

Seq #	Assoc	Expn Date	Type	Name
1			JUDGE	BRADLEY, E. SCOTT
Address:	SUPERIOR COURT SUSSEX COUNTY COURTHOUSE 1 THE CIRCLE - SUITE 2 GEORGETOWN DE 19947		Aliases:	none
3			RESPONDENT	HARMON SR, LEFTON
Address:	unavailable		Aliases:	none
4	9		PETITIONER	DEPARTMENT OF FINANCE OF SUSSEX COUNTY
Address:	unavailable		Aliases:	none
5			SHERIFF	KENT COUNTY, SHERIFF
Address:	unavailable		Aliases:	none
6			SHERIFF	NEW CASTLE COUNTY, SHERIFF
Address:	87 READS WAY NEW CASTLE DE 19720		Aliases:	none
7			RESPONDENT	HARMON, LEROY WILLIAM
Address:	unavailable		Aliases:	none
8			RESPONDENT	HARMON, SANDRA J
Address:	unavailable		Aliases:	none

9		ATTORNEY FOR PETITIONER	ADAMS, RYAN T
Address:	MOORE AND RUTT, PA 122 W MARKET STREET GEORGETOWN DE 199470000	Aliases:	none

Docket Entries

Filing Date	Description	Name	Monetary
16-OCT-2017 01:19 PM	MISC-SELL REAL ESTATE PROP TAX	ADKINS, JASON W	
Entry:	PETITION TO SELL REAL ESTATE MAP PARCEL NO. 3-34-19.08-27.00 DESCRIPTION: 37533 OYSTER HOUSE ROAD, REHOBOTH BEACH, DE 19971 YEARS: 2017 DEMOLITION AMOUNT: \$10,888.93 (JASON W. ADKINS) EXHIBIT A DEMOLITION ORDER EXHIBIT B RETURN RECEIPT CARD EXHIBIT C FINAL INVOICE AND NOTICE JUDGMENT IS ENTERED AGAINST: LEFTON HARMON LEROY WILLIAM HARMON SANDRA J HARMON JUDGMENT AMOUNTS TO BE PAID AS FOLLOWS: SEPT 2017 DEMOLITION \$7795.00 LEGAL FEES AND EXPENSES \$3093.93 TOTAL JUDGMENT AMOUNT = \$10888.93 DATE DOCKETED: OCTOBER 17, 2017 ACCEPTED BY: KDM TRANSACTION ID: 61246721		
17-OCT-2017 10:17 AM	SIMULTAEIOUS DISPOSED W/ FILING		
Entry:	SIMULTANEOUS DISPOSED WITH FILING DATE DOCKETED: OCTOBER 17, 2017		
17-OCT-2017 10:19 AM	NOTICE		
Entry:	FILE ARCHIVED DATE DOCKETED: OCTOBER 17, 2017		
27-SEP-2018 11:43 AM	SUBSTITUTION OF COUNSEL	ADKINS, JASON W	
Entry:	SUBSTITUTION OF COUNSEL DATE DOCKETED: SEPTEMBER 28, 2018 JASON W. ADKINS WITHDRAWS AND RYAN T. ADAMS HEREBY ENTERS HIS APPEARANCE ON BEHALF OF PLAINTIFF, DEPARTMENT OF FINANCE OF SUSSEX COUNTY ACCEPTED BY: BC TRANSACTION ID: 62495657		

Exhibit #7

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 19-3191

SANDRA HARMON,
Appellant

v.

DEPARTMENT OF FINANCE, Sussex Co. Delaware; JASON ADKINS, individually and in his capacity as defense counsel for Sussex County Administration; SUSSEX COUNTY BOARD OF ADJUSTMENT & APPEALS MEMBERS; DALE CALLAWAY, Chairman individually and in his capacity as Chairman; ELLEN MAGEE, individually and in her capacity as a board member; J. BRUCE MEARS, individually and in his capacity as a board member; JOHN MILLS, individually and in his capacity as a board member; E. BRENT WORKMAN, individually and in his capacity as a board member; SUSSEX COUNTY ADMINISTRATION

On Appeal from the United States District Court
for the District of Delaware
(D.C. Civil Action No. 1-18-cv-01021)
District Judge: Honorable Richard G. Andrews

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)
April 20, 2020
Before: SHWARTZ, RESTREPO and NYGAARD, Circuit Judges

(Opinion filed: April 27, 2020)

OPINION*

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

PER CURIAM

Pro se appellant Sandra Harmon appeals the District Court's order dismissing her complaint. For the reasons detailed below, we will vacate the District Court's judgment and remand for further proceedings.

Harmon owned real property in Rehoboth Beach, Delaware. In January 2018, Sussex County commenced a monition¹ action against Harmon to collect delinquent sewer and water bills and costs incurred when it demolished her fire-damaged home. Harmon claims that she paid the sewer and water bills, but that Sussex County and the individual defendants never consulted with her about the demolition costs, failed to give her notice of the monition action, charged excessively high interest on the demolition costs, and sold the property at a sheriff's sale without providing her with a reasonable time to pay the outstanding costs. She filed a complaint in District Court under 42 U.S.C. § 1983 alleging that the defendants had violated her constitutional rights.

The defendants filed a motion to dismiss arguing that, because the state monition action remained ongoing, the District Court should abstain under Younger v. Harris, 401 U.S. 37 (1971). The District Court granted the motion. Harmon filed a timely notice of appeal.²

¹ "Monition" is "a legal process in the nature of a summons or citation to appear and answer (as in default of performing some certain act)." Monition, Merriam-Webster's Unabridged Dictionary (2016).

² Harmon also filed a motion for reconsideration, which the District Court denied. Because Harmon did not file a timely new or amended notice of appeal encompassing the order denying her motion for reconsideration, we lack jurisdiction to consider that order. See Fed. R. App. P. 4(a)(4)(B)(ii); Carrascosa v. McGuire, 520 F.3d 249, 253–54 (3d Cir.

We have jurisdiction pursuant to 28 U.S.C. § 1291. “We exercise plenary review over whether the requirements for abstention have been met.” Miller v. Mitchell, 598 F.3d 139, 145–46 (3d Cir. 2010).

We will vacate the District Court’s judgment. The Court concluded that abstention under Younger was appropriate because “(1) there are ongoing state proceedings that are judicial in nature; (2) the state proceedings implicate important state interests; and (3) the state proceedings provide an adequate opportunity to raise the federal claims.” ECF No. 23 at 6. These factors were set forth in Middlesex County Ethics Committee v. Garden State Bar Association, 457 U.S. 423, 432 (1982).

However, in Sprint Communications, Inc. v. Jacobs, 571 U.S. 69 (2013), the Supreme Court “narrowed Younger’s domain.” Malhan v. Sec’y U.S. Dep’t of State, 938 F.3d 453, 462 (3d Cir. 2019). “The Court explained—and we have stressed several times since—that the ‘three Middlesex conditions’ are no longer the test for Younger abstention.” Id. (quoting Sprint, 571 U.S. at 81). Rather, courts must first analyze whether the parallel state action falls within one of “three exceptional categories”: (1) criminal prosecutions, (2) “certain civil enforcement proceedings,” and (3) “civil proceedings involving certain orders uniquely in furtherance of the state courts’ ability to perform their judicial functions.” Sprint, 571 U.S. at 78 (quotation marks, alteration omitted).

2008).

The District Court therefore failed to apply the proper standard. See Hamilton v. Bromley, 862 F.3d 329, 337 (3d Cir. 2017) (explaining, in similar circumstances, that “[b]y not applying the correct test for Younger abstention, the District Court erred”). Accordingly, we will vacate the District Court’s judgment and remand so that it can decide, in the first instance, whether the state monition action falls within one of the three classes of cases described by Sprint.³

³ We express no opinion about whether the monition action does fall within one of these classes of cases, whether Harmon’s claims have merit, or whether the defendants have other meritorious defenses.

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Plaintiff Exhibit 8
Permy
Include 2 pages

1 of 2
10/2

6/17/2018

Docket Report Results

Report Selection Criteria

Case ID: S18T-01-002

Docket Start Date:

Docket Ending Date:

Case Description

Case ID: S18T-01-002 - SUSSEX COUNTY VS. LEROY WILLIAM HARMON

Filing Date: Friday, January 12th, 2018

Type: JM - MONITIONS JUDGMENT

Status: NEW - NEW

Related Cases

No related cases were found.

▶ [Search Home](#) ▶ [New Search](#) ▶ [Report Selection](#) ▶ [Case Description](#)
▶ [Related Cases](#) ▶ [Event Schedule](#) ▶ [Case Parties](#) ▶ [Docket Entries](#)

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Report Selection Criteria

Case ID: S18T-01-002
 Docket Start Date: 12-JAN-2018
 Docket Ending Date:

Exhibit #1 #9
include 4 pages

Case Description

Case ID: S18T-01-002 - SUSSEX COUNTY VS. LEROY WILLIAM HARMON
 Filing Date: Friday, January 12th, 2018
 Type: JM - MONITIONS JUDGMENT
 Status: NEW - NEW

Related Cases

No related cases were found.

10/4

Case Event Schedule

No case events were found.

Case Parties

Seq #	Assoc	Expn Date	Type	Name
1	2		PLAINTIFF	DEPARTMENT OF FINANCE OF SUSSEX COUNTY
Address: unavailable		Aliases: none		
3			DEFENDANT	HARMON, LEROY WILLIAM
Address: unavailable		Aliases: none		
4			DEFENDANT	HARMON SR, LEROY
Address: unavailable		Aliases: none		
5			DEFENDANT	HARMON, SANDRA J.
Address: unavailable		Aliases: none		
6			JUDGE	*JUDGMENT, JUDGE SUSSEX
Address: unavailable		Aliases: none		

7		SHERIFF	KENT COUNTY, SHERIFF
Address:	unavailable	Aliases:	none
8		SHERIFF	NEW CASTLE COUNTY, SHERIFF
Address:	unavailable	Aliases:	none
9		ATTORNEY FOR PLAINTIFF	ADKINS, JASON W
Address:	MOORE & RUTT, P.A. 122 WEST MARKET STREET P.O. BOX 554 GEORGETOWN DE 199470000	Aliases:	none

Docket Entries

false = False entry of 4

Filing Date	Description	Name	Monetary
12-JAN-2018 10:18 AM	INIT FILING MONITIONS <i>FALSE</i>		
Entry:	INITIAL FILING MONITIONS DATE DOCKETED: JANUARY 13, 2018		
12-JAN-2018 10:18 AM	INITIAL COMPLAINT <i>FALSE</i>		
Entry:	INITIAL COMPLAINT DATE DOCKETED: JANUARY 13, 2018 COMPLAINT FOR ENTRY OF JUDGMENT ON MONITION FILED. TAX MAP PARCEL NO.: 3-34-19.08-27.00 DESCRIPTION: 37533 OYSTER HOUSE ROAD, NRD 273-C, WILKES-REHO CANAL, REHOBOTH BEACH, DELAWARE 19971 TAX YEARS: 2013-2017 AMOUNT: \$14,400.77 (JASON ADKINS) EXHIBIT A TAX MAP EXHIBIT B BILLING PRAECIPE MONITION ACCEPTED BY: BC TRANSACTION ID: 61562087		
18-JAN-2018 01:44 PM	WRIT ISSUED <i>FALSE</i>		
Entry:	MONITION WRIT ISSUED ON 1/18/2018 - BC DATE DOCKETED: JANUARY 18, 2018		
24-JAN-2018 03:34 PM	WRIT RETURN (GENERIC) <i>FALSE</i>		
Entry:	WRIT RETURNED: DATE DOCKETED: JANUARY 25, 2018 WRIT RETURNED 1-		

24-2018 MONITION WAS POSTED ON THE PROPERTY ON 1-23-2018 ACCEPTED BY: BC TRANSACTION ID: 61606349			
12-APR-2018 01:11 PM	VEND EX (VENDITIONI EXPONAS) <i>FALSE</i>		
Entry:	PRAECIPE FOR: VEND EX (VENDITIONI EXPONAS) DATE DOCKETED: APRIL 13, 2018 VEND EX EXHIBIT A TAX MAP PRAECIPE ACCEPTED BY: BC TRANSACTION ID: 61910829		
18-APR-2018 12:47 PM	EXECUTION WRIT ISSUED <i>FALSE</i>		
Entry:	VEND EX WRIT ISSUED 4/16/2018 - BC DATE DOCKETED: APRIL 16, 2018		
09-JUN-2018 11:00 AM	MOTION TO DISMISS		<i>36P 4</i>
Entry:	MOTION TO DISMISS DATE DOCKETED: JUNE 9, 2018 DEFENDANT'S MOTION TO DISMISS FILED 6-8-2018 MOTION FOR EMERGENCY AND PRELIMINARY INJUNCTION FILED IN US DISTRICT COURT AND THIRD CIRCUIT COURT OF APPEALS EXHIBIT 1 EXHIBIT 2 EXHIBIT 3 ACCEPTED BY: BC TRANSACTION ID: 62117391		
13-JUN-2018 08:13 AM	CIVIL RULE 69 (G) <i>Monitors to agree for deny don't know have only May 19 down</i>	ADKINS, JASON W	
Entry:	NOTICE TO LIENHOLDERS OF SHERIFF'S SALE AND PROOF OF POSTING PURSUANT TO SUPERIOR COURT CIVIL RULE 69 (G) FILED DATE DOCKETED: JUNE 14, 2018 AFFIDAVIT OF PROOF OF MAILING EXHIBIT A NOTICE TO LIENHOLDERS EXHIBIT B RECEIPTS EXHIBIT C AFFIDAVIT OF POSTING EXHIBIT D RETURN RECEIPT CARDS EXHIBITS E-G RETURNED ENVELOPES CERTIFICATE OF SERVICE ACCEPTED BY: BC TRANSACTION ID: 62132659		
15-JUN-2018 02:38 PM	RESPONSE	ADKINS, JASON W	
Entry:	RESPONSE DATE DOCKETED: JUNE 14, 2018 RESPONSE TO MOTION TO DISMISS FILED BY DEFENDANT SANDRA HARMON (JASON W ADKINS) EXHIBIT A EXHIBIT B EXHIBIT C CERTIFICATE OF SERVICE ACCEPTED BY: BC TRANSACTION ID: 62135013		
18-JUN-2018 01:38 PM	NOTICE		
Entry:	NOTICE DATE DOCKETED: JUNE 19, 2018 COPY OF US DISTRICT COURT FILING OF MOTION TO ATTACH RECEIPT FOR FULL PAYMENT FILED 6-18-2018 ACCEPTED BY: BC TRANSACTION ID: 62148941		

Case 1:17-cv-01617-RGA Document 42 Filed 07/03/18 Page 10 of 18 PageID #: 247			
18 JUN 2018 04:15 PM	ORDER		
Entry:	ORDER DATE DOCKETED: JUNE 19, 2018 ORDER SIGNED BY JUDGE RICHARD F. STOKES 6-18-2018 THE COURT DECLINES TO GRANT PLAINTIFF'S MOTION. THE SALE MAY PROCEED AS SCHEDULED ON JUNE 19, 2018 ACCEPTED BY: BC TRANSACTION ID: 62150259		
19 JUN 2018 12:58 PM	NOTICE	4 of 4 Time is error it was file around 9:00 am	
Entry:	NOTICE DATE DOCKETED: JUNE 20, 2018 NOTICE OF LIS PENDENS FILED IN THE RECORDER OF DEEDS 6-19-2018 ACCEPTED BY: BC TRANSACTION ID: 62153216		
21 JUN 2018 12:24 PM	MOTION	Not sure of what the doc is	
Entry:	MOTION DATE DOCKETED: JUNE 22, 2018 DEFENDANT'S MOTION TO INVALIDATE AND DISMISS ACTION FILED 6-21-2018 ACCEPTED BY: BC TRANSACTION ID: 62161685		

Report Selection Criteria*Exhibit # 10*

Case ID: S17M-10-018
Docket Start Date:
Docket Ending Date:

Case Description

Case ID: S17M-10-018 - SUSSEX COUNTY VS LEROY WILLIAM HARMON
Filing Date: Monday, October 16th, 2017
Type: MQ - SELL REAL ESTATE FOR PROP TAX
Status: CLOSED - CLOSED

Related Cases

No related cases were found.

Case Event Schedule

No case events were found.

Case Parties

Seq #	Assoc	Expn Date	Type	Name
1			JUDGE	STOKES, RICHARD F
Address:	SUPERIOR COURT SUSSEX COUNTY COURTHOUSE 1 THE CIRCLE - SUITE 2 GEORGETOWN DE 19947		Aliases:	none
3			RESPONDENT	HARMON SR, LEFTON
Address:	unavailable		Aliases:	none
4	9		PETITIONER	DEPARTMENT OF FINANCE OF SUSSEX COUNTY
Address:	unavailable		Aliases:	none
5			SHERIFF	KENT COUNTY, SHERIFF
Address:	unavailable		Aliases:	none
6			SHERIFF	NEW CASTLE COUNTY, SHERIFF
Address:	87 READS WAY NEW CASTLE DE 19720		Aliases:	none
7			RESPONDENT	HARMON, LEROY WILLIAM
Address:	unavailable		Aliases:	none
8			RESPONDENT	HARMON, SANDRA J
Address:	unavailable		Aliases:	none

9			ATTORNEY FOR PETITIONER	ADAMS, RYAN T
Address:	MOORE AND RUTT, PA 122 W MARKET STREET GEORGETOWN DE 199470000		Aliases:	none

Docket Entries

Filing Date	Description	Name	Monetary
16-OCT-2017 01:08 PM	MISC-SELL REAL ESTATE PROP TAX	ADKINS, JASON W	
Entry:	NOTICE OF LIEN MAP PARCEL NO. 3-34-19.08-27.00 AMOUNT: \$3,021.84 (JASON W ADKINS) JUDGMENT IS ENTERED AGAINST: LEFTON HARMON LEROY WILLIAM HARMON SANDRA J HARMON JUDGMENT AMOUNTS TO BE PAID AS FOLLOWS: WATER - SEWER UTILITY BILLS AS OF 7-17-17 \$3021.84 TOTAL JUDGMENT AMOUNT = \$3021.84 DATE DOCKETED: OCTOBER 17, 2017 ACCEPTED BY: KDM TRANSACTION ID: 61246658		
17-OCT-2017 10:17 AM	SIMULTAEIOUS DISPOSED W/ FILING		
Entry:	SIMULTANEOUS DISPOSED WITH FILING DATE DOCKETED: OCTOBER 17, 2017		
17-OCT-2017 10:19 AM	NOTICE		
Entry:	FILE ARCHIVED DATE DOCKETED: OCTOBER 17, 2017		
27-SEP-2018 11:39 AM	SUBSTITUTION OF COUNSEL	ADKINS, JASON W	
Entry:	SUBSTITUTION OF COUNSEL DATE DOCKETED: SEPTEMBER 28, 2018 JASON W. ADKINS WITHDRAWS AND RYAN T. ADAMS HEREBY ENTERS HIS APPEARANCE ON BEHALF OF PLAINTIFF, DEPARTMENT OF FINANCE OF SUSSEX COUNTY ACCEPTED BY: BC TRANSACTION ID: 62495604		

Sandra Harmon

VS.

Dept of Finance et al

CA No. 17 cv 01817 RGA

TITLE 25

Exhibit # 11

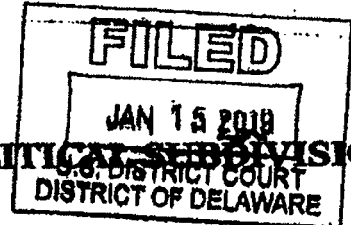
Property

~~Reply brief~~
~~exhibit #2~~

See 2903

Mortgages and Other Liens

CHAPTER 29. LIENS OF THE STATE AND/OR ITS POLITICAL SUBDIVISIONS



§ 2901 Lien of taxes and other charges; Notice of Lien.

(a)(1) Except as otherwise provided, "lien" or "liens" as used in this section shall arise whenever the following charges, as defined in this section, are levied or imposed by the State or any political subdivision thereof (including the Levy Court or county council of any county, any united, consolidated or incorporated school district, or any incorporated town or city in this State) and such charges become due:

- a. Real property taxes, including penalty and interest thereon;
- b. School taxes, including taxes for a vocational-technical high school district or county vocational-technical center district, including penalty and interest thereon;
- c. Service charges for maintenance or use of sewer systems, including penalty and interest thereon;
- d. Service charges for maintenance or use of water systems, including penalty and interest thereon;
- e. Service charges for garbage collection;
- f. Charges for the costs of removing, repairing, razing or demolition of unsafe or illegal buildings, structures and related building systems done through public expenditure;
- g. Charges for duly authorized improvements or maintenance to the exteriors of buildings or property done through public expenditure;
- h. Assessments for the installation of sewer lines, water mains, sidewalks and curbing, including penalty and interest thereon;
- i. Fines and civil penalties associated with local building, property, maintenance, zoning, subdivision, drainage, sewer, housing, sanitation, or animal code citations, tickets, or violations. When authorized by local ordinance, the unpaid amounts of such fines and civil penalties may be added to local property tax billings for the property which was the subject of said citation, ticket or violation. "Civil penalties" as used in this section shall include any assessment, fee, charge, or penalty issued pursuant to an administrative procedure adopted by any political subdivision of the State with authority to implement such administrative procedure, the imposition of such civil penalty being final and nonappealable. "Fines" as used in this section shall include any fine imposed by any court and any civil judgment awarded to the State or any political subdivision thereof entered pursuant to § 4101 of Title 11 or otherwise;
- j. Fees imposed by law or ordinance of any political subdivision of the State, which shall include, without limitation, municipal corporations, for registration of ownership of any vacant buildings located within the political subdivision, the imposition of which fees is final and non-appealable; and

(5) The political subdivision that filed any Notice of Lien may, in its sole discretion and at any time and without receiving payment of all charges owed by the chargeable, release from the lien created hereby any or all parcels of real property owned by the chargeable by filing a writing to that effect with the prothonotary, and such release shall be without prejudice to the right of the political subdivision to collect the remainder of any charges from any real property of the chargeable that is subject to the lien created under this subsection (b) and has not been so released. Any release, whether partial or complete, shall be noted in the index for Notices of Lien.

(6) A Notice of Lien shall be ineffective as of the date all charges owed by the chargeable have been paid in full, subject to paragraph (b)(7) of this section.

(7) A Notice of Lien shall be effective for a period of 3 years after the date of filing such notice, unless the political subdivision files a subsequent Continuation of Lien against the same chargeable prior to the expiration of the 3-year period and in such event the lien created by the subsequent Continuation of Lien will have priority as of the date of filing of the previous Notice of Lien. A Continuation of Lien will be effective for a period of 3 years following the initial 3-year period of the Notice of Lien and shall constitute a lien against any real property acquired by the chargeable after the filing of the Notice of Lien, and located in the county in which the Notice of Lien was filed. No more than 1 Continuation of Lien may be filed for any 1 Notice of Lien, provided, however, that this limitation shall not preclude the later filing of a new Notice of Lien against the chargeable which shall be effective and have priority as of the date of such later filing.

(8) Upon written notice by the chargeable to the political subdivision that all charges for which the Notice of Lien was filed have been paid, the political subdivision shall enter a satisfaction of record on the Notice of Lien index.

(9) Nothing contained herein shall be deemed to affect or limit the ability of the political subdivision to collect any charge through any other legal procedure including, without limitation, proceedings pursuant to a Writ of Monition.

(10) All liens for the nonpayment of charges (including any created pursuant to § 8701 of Title 9), other than the lien upon the real property against which the charge was levied or imposed as provided in subsection (a) of this section, are hereby extinguished, provided, however, that this subsection shall not affect any lien obtained by any political subdivision prior to October 5, 1990, by any legal procedure including, without limitation, proceedings pursuant to a Writ of Monition.

15 Del. Laws, c. 476; 16 Del. Laws, c. 141; 19 Del. Laws, c. 556; Code 1915, § 2870; 40 Del. Laws, c. 238, §§ 1-3; Code 1935, § 3351; 25 Del. C. 1953, § 2901; 62 Del. Laws, c. 374, § 1; 67 Del. Laws, c. 127, § 3; 67 Del. Laws, c. 445, § 1; 68 Del. Laws, c. 279, §§ 1-3; 70 Del. Laws, c. 431, § 1; 71 Del. Laws, c. 387, §§ 2-5; 74 Del. Laws, c. 382, §§ 1-3; 75 Del. Laws, c. 212, §§ 3-5; 75 Del. Laws, c. 331, § 3; 81 Del. Laws, c. 162, § 2;

§ 2902 Attachment of lien to proceeds of sale.

In case any real estate upon which a tax lien exists is sold by an order of the Court of Chancery directing an executor or administrator to sell the real estate to pay the debts of a deceased person or is sold by virtue of an execution process, such tax lien shall be transferred to the fund arising from such sale in the hands of the officer making the sale, and the real estate so sold shall be discharged therefrom. If the fund is not sufficient to pay and discharge the tax lien, by reason of the real estate having been sold subject to another or other lien or liens created by the taxable, the unpaid balance of the tax shall remain a lien upon the land so sold.

15 Del. Laws, c. 476; 16 Del. Laws, c. 141; 19 Del. Laws, c. 262; Code 1915, § 2870; 40 Del. Laws, c. 238, § 3; Code 1935, § 3351; 25 Del. C. 1953, § 2902.;

§ 2903 Duration of lien.

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(a) In New Castle County all taxes assessed against real estate shall continue to be a lien against the real estate within the County for 10 years from July 1 of the year for which the taxes were levied, but if the real estate remains the property of the person who was the owner at the time it was assessed, the lien shall continue until the tax is collected.

(b) In Kent and Sussex Counties the lien for county and state taxes shall remain a lien for the period of 2 years from July 1 of the year in which such tax has been imposed and no longer, and the lien for school taxes shall remain a lien for the period of 2 years from August 10 of the year in which the tax has been imposed and no longer, and the lien for town or municipal taxes shall remain a lien for the period of 2 years from the date prescribed by the charter of the town or city for the delivery of the duplicate of the town or city to the collector thereof and no longer. The collectors, in collecting taxes out of real estate upon which they are a lien under the provisions of § 2901 of this title, shall proceed in the manner prescribed by law for the collection of taxes out of real estate.

15 Del. Laws, c. 476; 16 Del. Laws, c. 141; 19 Del. Laws, c. 556; 20 Del. Laws, Appendix, page 8, § 11; Code 1915, §§ 1152, 2870; 33 Del. Laws, c. 82, § 2; 40 Del. Laws, c. 135, § 1; 40 Del. Laws, c. 238, §§ 1-3; Code 1935, §§ 1348, 3351; 25 Del. C. 1953, § 2903.;

§ 2904 Payment of taxes by lienholder; action for collection.

Any person having a lien upon any real estate located within the State may pay to the parties entitled thereto any taxes which are by law liens upon or against the real estate. Any person who has paid any such taxes shall be entitled to receive the full amount of such taxes so paid from the owner of the property or properties upon which the taxes were a lien and may proceed in any court of competent jurisdiction to collect the same in a civil action for money paid out and expended for the use of the defendant.

15 Del. Laws, c. 476; 16 Del. Laws, c. 141; Code 1915, § 2870; Code 1935, § 3351; 25 Del. C. 1953, § 2904.;

§ 2905 Action by lienholder to collect tax lien; amount of recovery; affidavit of demand.

In any action brought to collect any lien upon real estate located within this State, the lienholder shall obtain in the final judgment in the cause the amount of money paid on account of the taxes levied upon the real estate covered by such lien or liens, provided there is set forth in the affidavit of demand filed in the action an itemized list of the taxes paid, the total amount of the payments, that the taxes were justly and truly due at the time of payment and that attached to the affidavit of demand are original and duplicate tax receipts from the officer to whom such taxes were paid. The affidavit of demand shall be filed as any other affidavit of demand is or shall be required to be filed in such proceeding. If judgment has been obtained prior to the payment of the taxes, then, and in that event, such affidavit of demand shall be filed in the office where such judgment is recorded and the amount thereof shall be noted on all writs issued in execution of such judgment or judgments and shall be collected and paid by the officer to whom such writ of execution is issued before any other part of such judgment is paid except only the costs taxed on the proceedings as shown on the writ and any amount of taxes levied and unpaid which constitute a lien on the real estate.

15 Del. Laws, c. 476; 16 Del. Laws, c. 141; Code 1915, § 2870; Code 1935, § 3351; 25 Del. C. 1953, § 2905.;

§ 2906 Priority of liens of the State and political subdivisions on real estate; extinction of such liens.

(a) Except as otherwise provided in subsection (b) of this section, liens for taxes and other government charges levied and imposed by the State or its political subdivisions, which liens are assessed against real property, shall be equal in status, regardless of the time of assessment of said lien; no such lien shall have priority over any other such lien in the distribution of proceeds of the sale of real estate pursuant to a writ of venditioni exponis, levare facias or any other process or order of any court resulting in a sheriff's sale. In

TITLE 9

Exhibit # 12

Counties

County Taxes

CHAPTER 87. COLLECTION OF DELINQUENT TAXES

Subchapter II. Monition Method of Sale

§ 8721 Monition method established.

In addition to all existing methods and authority for the collection of taxes due to the tax collecting authority, or former County Tax Collectors, or former Receivers of Taxes and County Treasurers of New Castle or Sussex Counties, the monition method and authority is established.

Code 1935, § 1381A; 46 Del. Laws, c. 133, § 1; 9 Del. C. 1953, § 8721; 55 Del. Laws, c. 85, § 25A; 60 Del. Laws, c. 675, §§ 1, 2; 61 Del. Laws, c. 391, §§ 1, 2; 71 Del. Laws, c. 401, § 115.

§ 8722 Praecipe; judgment; monition.

(a) The tax collecting authority may file a praecipe in the office of the prothonotary of the Superior Court in and for the county where the property is located.

(b) The praecipe shall contain the name of the person against whom the taxes sought to be collected were assessed, a copy of the bill or bills showing the amount of taxes due, and the property against which the taxes were assessed. The description of the property, as the same appears upon the assessment rolls of the county where the property is located, shall be a sufficient identification and description of the property. Thereupon the prothonotary shall make a record of the same on a special judgment docket of the Superior Court against the property mentioned or described in the praecipe which record shall consist of the following:

- (1) The name of the person in whose name the assessment was made;
- (2) The description of the property as the same shall appear upon the assessment rolls;
- (3) The year or years for which the taxes are due and payable;
- (4) The date of the filing of such praecipe;
- (5) The amount of the judgment, the same being the amount set forth in the praecipe.

Such judgment shall be indexed in the judgment docket itself under the hundred in which the property is located as the location appears upon the assessment rolls so prepared, and under the hundred by communities where the name of the community appears upon the assessment rolls so prepared, and by referring to the page in the judgment docket whereon the record shall appear.

(c) Thereafter upon a praecipe for monition filed in the office of the prothonotary by the tax collecting authority, a monition shall be issued by the prothonotary to the sheriff of the county where the property is located, which monition shall briefly state the amount of the judgment for the taxes due and the years

Case 1:17-cv-01803-ROA Document 62-4 Filed 02/07/21 Page 2 of 2 PageID #: 824

taxes are a lien. A description of the property as it appears upon the assessment rolls shall be sufficient.

(d) The tax collecting authority for New Castle, Kent and Sussex Counties may initiate and complete the monitions process against any property designated by the authority as having an unknown owner for a continuous period in excess of 5 years. Notwithstanding that an investigation of chain of title to such property has not been performed, and notwithstanding any provision of this chapter to the contrary, the taxing authority shall be exempted from any obligation expressed therein that cannot be satisfied due to the absence of a known owner, including but not limited to notification of sale to the record owner and provision of copies of bills showing amounts due.

Code 1935, § 1381A; 46 Del. Laws, c. 133, § 1; 9 Del. C. 1953, § 8722; 55 Del. Laws, c. 85, § 25E; 60 Del. Laws, c. 675, §§ 2, 3; 61 Del. Laws, c. 391, §§ 1, 2; 71 Del. Laws, c. 401, § 120; 71 Del. Laws, c. 401, § 115; 75 Del. Laws, c. 119, § 1;

§ 8723 Form of monition.

The monition shall be in substantially the following form:

To all persons having or claiming to have any title, interest or lien upon the within described premises, take warning that unless the judgment for the taxes or assessment stated herein is paid within 20 days after the date hereof or within such period of 20 days, evidence of the payment of taxes herein claimed shall be filed in the office of the prothonotary, which evidence shall be in the form of a receipted tax bill or duplicate thereof, bearing date prior to the filing of the lien in the office of the prothonotary for the county where the property is located, the tax collecting authority may proceed to sell the property herein mentioned or described for the purpose of collecting the judgment for the taxes or assessments herein stated, including accrued penalties and all costs incurred in the collections process.

Name of person

in whose name

property is

assessed

Description Year Amount

of or of

property Years Judgment

Code 1935, § 1381A; 46 Del. Laws, c. 133, § 1; 9 Del. C. 1953, § 8723; 55 Del. Laws, c. 85, § 25F; 60 Del. Laws, c. 675, §§ 3, 4; 71 Del. Laws, c. 401, §§ 15, 121;

§ 8724 Posting of monition; sheriff's return; alias or pluries monition.

(a) The monition, or a copy thereof, shall be posted by the sheriff upon some prominent place or part of the property against which the judgment for the taxes or assessment is a lien, and the sheriff shall make due and proper return of his or her proceedings under the monition to the prothonotary, within 10 days after the posting of the monition.

(b) Alias or pluries monition may issue upon like praecipe. The posting of the notice as herein required shall constitute notice to the owner or owners and all persons having any interest in the property.

Code 1935, § 1381A; 46 Del. Laws, c. 133, § 1; 9 Del. C. 1953, § 8724; 70 Del. Laws, c. 186, § 1;

§ 8725 Issuance and form of writ of venditioni exponas.

(a) At any time after the expiration of 20 days following the return of the sheriff upon the monition, unless before the expiration of the 20 days the judgment and cost on the judgment shall be paid or evidence of the payment of such taxes evidenced by a receipted tax bill or a duplicate thereof bearing date therefor prior to the filing of the lien for record in the office of the prothonotary, upon application in writing by the tax collecting authority, a writ of venditioni exponas shall issue out of the office of the prothonotary directed to the sheriff commanding the sheriff to sell the property mentioned or described in the writ and make due return of such proceedings thereunder in the same manner as is now applicable with respect to similar



IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

In The Matter of,
Leroy William Harmon Heirs,
Sandra J. Harmon and Lefton Harmon Sr.

Exhibit # 13

Case No.

Tax Map Parcel No: 3-34-19.08-27.00

~~R. S. (S. S.) Exhibit 3~~

NOTICE OF LIEN AFFIDAVIT

STATE OF DELAWARE :

SS

COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this 16th day of October, 2017 personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Jason W. Adkins, Esquire known to me personally to be such, who, after having been duly sworn according to law, deposes and says:

1. I am an Assistant Attorney for Sussex County.
2. This Affidavit is filed pursuant to 25 Del. C. §§ 2901, 4601, and shall constitute a Notice of Lien pursuant to the aforesaid statutory provisions.
3. Leroy William Harmon Heirs, Lefton Harmon, Sr. and Sandra Harmon are the assessed owners of record on the tax assessment rolls for Sussex County for Tax Map Parcel No: 3-34-19.08-27.00, and against which certain charges have been levied or imposed for the Demolition of a structure pursuant to Article III, §71-32 of the Sussex County Code (hereinafter the "Chargeable").
4. Charges as set forth hereafter have been duly levied or imposed upon the Chargeable.
5. The type of charges and the amount of such charge as of the date of the filing of this Notice of Lien are as follows:

Property Address: 37533 Oyster House Road, NRD 273-C, W/LEWES-REHO CANAL, Rehoboth Beach, DE 19971

Tax Map Parcel Number 3-34-19.08-27.00

Sept 2017 Demolition -	\$7,795.00
Legal Fees & Expenses -	\$3,093.93
Total:	\$10,888.93

The Judge said the mention was for the sewer and water which was paid already in full.


EXHIBIT

D

1d 2

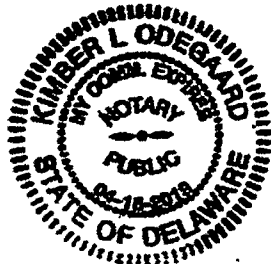
6. The Chargeable has failed to pay these charges despite notice thereof. A Demolition Order was issued that required action on or before June 24, 2017, a copy of which is attached hereto as *Exhibit A*, that was served in accordance with §71-27 of the Sussex County Code by mailing the same via certified mail, return receipt requested to the owners at the last known address, as evidenced by the signed return receipt attached hereto as *Exhibit B*. The demolition occurred on or about September 21, 2017. A final invoice and notice of Sussex County's intent to record this Notice of Lien, a copy of which is attached hereto as *Exhibit C*, was sent to the owners using the addresses identified in the Final Invoice. According to a search performed by Sussex County, there were no valid lien holders of record that were required to have received notice.

This Notice of Lien shall, as of the date of the filing thereof, be and constitute a lien upon all real property of which the Chargeable is seized in Sussex County. Pursuant to 25 Del. C. Section 2901(b), Article III, §71-33 of the Sussex County Code, and 25 Del. C. § 2901(a)(1)(k), a tax lien is hereby established that is to be assessed and collected in the same manner as other real estate taxes in the amount of \$10,888.93.


Jason W. Adkins, Esquire
Assistant County Attorney
Bar Id 5859

April 17
Cathy
Manning
received
copy
w/ date

SWORN TO AND SUBSCRIBED before me on this 16th day of October, 2017.




Notary Public

Director of Finance of Sussex County, Delaware.

THIS JUDGMENT LIEN FULLY PAID AND SATISFIED ON THIS ____ DAY
OF _____, 20____.

DIRECTOR OF FINANCE

Exhibit # 14

CA 18-1021 RGA

THRU: OFFICE OF THE US ATTORNEY- Delaware District

ATTN: David Weiss

1313 N. Market Street

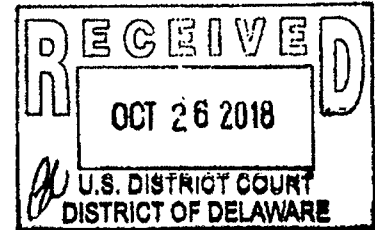
Wilmington, De. 19801

THRU: Delaware State Department of Justice

ATTN: Matt Denn

820 N. French Street

Wilmington, De. 19801



THRU: US District Court- Delaware

ATTN: Judge Richard Andrews

844 N. King Street

Wilmington, Delaware 19801

TO: Sussex County Superior Court

ATTN: Judge Richard Stokes

1 The Circle, Ste. 2

Georgetown, De. 19947

RE: Intentional Misconduct, and Fraudulent Data recently entered on court records. In case Dept. of Finance of Sussex County vs. LeRoy William Harmon Heirs. C.A. No.: S18T-01-002

Please note that documents wezre recently uploaded under my deceased husbands name that are false and misleading.

Specifically noted is Plaintiff Letter Exhibit No. 1, which notes a Judgment for Water and Sewer in the name of LaMont Harmon taken from the Delaware Court Website.

- 1. At the time of this alleged judgment, we were not required to pay water nor sewer because the house used a private well and septic.**

1 of 3

2. The County did not require connection to the county utilities until around 2008, when they adopted their ordinance 12/16/2008. Plaintiff Ex. 2 (2 pages)
3. Therefore, the new docket entry is false and misleading.
4. Moreover, LaMont Harmon became a registered owner by deed after 2003, when a land encroachment issue was settled with Hudson and Downs.
5. Prior to that date, the property was in the name of the Late LeRoy Harmon heirs.
6. It appears as if someone inside the court is unlawfully tampering with court records in a direct attempt to obstruct justice in this case.
7. Attorney Jason Adkins unlawfully sold my Rehoboth Beach property using a monition petition although he was aware of my whereabouts, and the unknown owner for 5 years, the 2 year tax lien all were disregarded, as he sought full judgement of demolition costs within 32 days of the demolitions— then obtained judgement within 4 months and unlawfully sold my property at sheriff sale when I turned down a 300000.00 cash sell offer from his friends. He apparently received a great deal of funds from his unlawful conduct, as he was able to leave his law firm and open up his own private practice firm according to the Oct. 2, 2018 newspaper article.
8. However, the only Judgment against my deceased husband LaMont Harmon was the Judgment listed on Plaintiff Letter Exhibit 3 From A local bank, and it was not a judgment against the property because the property was not in his name.

This conduct on behalf of Attorney Jason Adkins and his co-conspirators need to be stopped/. It's extremely to stressing. It's the reason I filed federal action that predated this state action that was filed only for the purpose of obstructing justice and interfering with the previously filed federal action. I continue to monitor the court docket weekly for changes, due to my distrust of the current court climate in Sussex County. Yes, I understand Jason Adkin's grandfather served as a Judge in Sussex County Superior Court & my understanding the Supreme Court in Delaware as well. Despite this fact, a lid needs to be placed on the unconscionable, and unlawful conduct of Jason Adkins and the influence he has with court personnel in the various departments of the Court. He is committing crimes.

Please look into this matter prior to the court hearing objecting to the unlawful sheriff sale of my Rehoboth Beach, Delaware real estate set for November 9, 2018 at 1:00pm.

Dated: October 21, 2018

A handwritten signature in cursive script, appearing to read "Sandra Harmon", is written over a horizontal line.

Sandra Harmon
815 F Street
Hartsville, SC 29550
Sohara1966@aol.com

3 of 3

Report Selection Criteria

Case ID: SS99G-09-007
Docket Start Date:
Docket Ending Date:

Case Description

Case ID: SS99G-09-007 - SUSSEX COUNTY VS LAMONT HARMON
Filing Date: Monday, September 27th, 1999
Type: JR - WATER & SEWER TAXES JUDGMENT
Status: NEW - NEW

Related Cases

No related cases were found.

Case Event Schedule

No case events were found.

Case Parties

Seq #	Assoc	Expn Date	Type	Name
1			PLAINTIFF	SUSSEX COUNTY
Address: <i>unavailable</i>			Aliases: <i>none</i>	

Plaintiff Ex. # 1

← FALSE
ENTRY

1 of 2

2

DEFENDANT

HARMON, LAMONT

Address: *unavailable*

Aliases: *none*

Docket Entries

Filing Date	Description	Name	Monetary
27-SEP-1999 12:00 AM	CASE CAPTION		
Entry:	SUSSEX COUNTY – VS – LAMONT HARMON		
27-SEP-1999 02:37 PM	JUDGMENT FILED		
Entry:	SEWER AND WATER LIEN FILED 9/24/99 - KDM SEE SEWER AND WATER LIEN BOOK #3		
31-MAY-2008 08:00 AM	JUDGMENT BOOK AND PAGE		
Entry:	Recorded Date: 9/27/1999 Recorded Book: 3 Recorded Page:		

2 of 2

~~CONFIDENTIAL~~
Plaintiff Ex. 2 102
2 pages

Code
Index

Chapter 110: Water and Sewers

HISTORY: Adopted by the County Council of Sussex County 5-22-2018 by Ord. No. 25770. Amendment noted where applicable.

GENERAL REFERENCES

Building code section — See Ch. 52.

Leaking standards — See Ch. 71.

Solid waste — See Ch. 91.

Subdivision of land — See Ch. 99.

[1] **Editor's Note:** This ordinance also repealed former Ch. 110, Water and Sewers, comprised of Part 1, adopted 5-25-1976 by Ord. No. 23, as amended; Part 2, adopted 4-22-1980 by Ord. No. 38, as amended; Part 3, adopted 4-22-1980 by Ord. No. 39, as amended; Part 4, adopted 7-28-1987 by Ord. No. 439, as amended; Part 5, adopted 3-10-1988 by Ord. No. 495, as amended; Part 6, adopted 11-12-1991 by Ord. No. 798, as amended; and Part 7, adopted 12-16-2008 by Ord. No. 2023, as amended.

Chapter 110: Water and Sewers

Article 1 Definitions

§ 110-1 Definitions; word usage; abbreviations.

Sussex County, DE

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Got It

10/21/2018

Chapter 110 Water and Sewers

Article VII: Use of Public Water Service

2 of 2

§ 110-42 Connection required.

The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated in an area served by a Sussex County water district and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public water main of Sussex County are hereby required, at their expense, to connect, in accordance with the Technical Bulletin for Building Sewer and Water Service and the provisions of this chapter, within 180 days after the date of official notice to connect.

§ 110-43 Permit required.

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public water main or appurtenance thereof without first obtaining a permit from the Engineer.

§ 110-44 Permit application.

- A. Application for a permit to install and connect a water service pipe shall be made by a plumber, licensed in the State of Delaware, who will install or supervise the installation of the water service pipe. The application will be made on forms provided by the County and shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Engineer. The application shall be signed by the licensed plumber and the owner or the owner's representative of the building having the water service pipe connected thereto. If approved, the application will be signed by the Engineer or his authorized agent and will constitute a permit.
- B. An application for a permit shall be made to increase the size of an existing service. The cost of increasing the size of the service shall be borne entirely by the applicant.

§ 110-45 Separate water service required.

A separate and independent water service shall be provided for every dwelling, building or property used for human occupancy, employment, recreation or other purpose. A water service, water meter and water service pipe shall not service more than one:

- A. Dwelling house, either detached or one side of a double house or a house in a row of houses, provided that a garage, a guesthouse and similar features incidental to the family life shall be considered as a portion of the dwelling.
- B. Industrial, commercial or manufacturing establishment.
- C. Building separated from adjacent buildings by a party wall or walls and comprising apartments, stores, offices or a combination thereof.
- D. Detached building comprising apartments, stores, offices or any combination thereof.
- E. Establishment consisting of individual dwelling units under the management of a single commercial or cooperative entity.
- F. Unit of property commonly referred to as a "condominium unit" and/or "unit property," subject to the requirements Title 25 of the Delaware Code, Chapter 25.
- G. Property which is converted from ownership by a single commercial or cooperative entity or from any other form of ownership to condominium units shall comply with the requirements of this article.

§ 110-46 Use of water on premises.

Judgment Search Results

Plaintiff Ex # 3

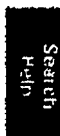
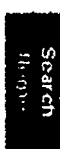
New Search

Phonetic Search: Off Last Name: harmon First Name: lamont Judgment Status: All

Person ID	Name / Company	Address	Joint & Several	Amount	Judgment Status	Judgment Date
@693447	HARMON, LAMONT W	Unavailable	No	\$9,680.41	JUDGMENT	29-MAY-1997

Page: 1 Records: 1 - 1

Please note, the CourtConnect site is certified by ACS Government Solutions, a Xerox Company, to support Microsoft Internet Explorer, Google Chrome, Mozilla Firefox and Apple Safari for searches to function in CourtConnect.



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Exhibit # 15

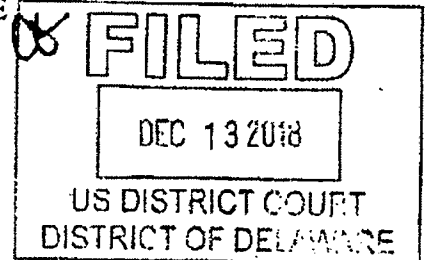
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Sandra Harmon
Plaintiff

Case #: 1:18-cv-01021

VS.

Department of Finance Et. al
Defendants



BRIEF IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGEMENT

Sandra Harmon

Sandra Harmon, Plaintiff

Sohara1966@aol.com

815 F Street

Hartsville, SC 29550

Dated: December 10, 2018

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A. STANDARD OF REVIEW.....p.9
B. PLAINTIFF CONTENTIONS.....p.9-12
IV. CONCLUSIONS.....p.12-13
CERTIFICATE OF SERVICEp.14

APPENDIX OF EXHIBITS ATTACHED

EXHIBIT NO.

1. Delaware State Law Title 9 Del. Code 8722(d). Monitions
2. Monition Description of Property dated Jan. 18, 2018
3. Notice of demolition Lien Affidavit
4. Excessive interest- Real Estate
5. June 18 Court Order authorizing sheriff sale.
6. Attorney Jason Adkins Exhibit A noting payment in full was recorded in advance of the issuance of the court order authorizing sheriff sale.
7. Delaware State Law Title 25 Del. Code 2903(b). Duration of time for lien
8. Order of State Court staying decision to rulings by the federal court.

TABLE OF AUTHORITIES

Cases

Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 247-48 (1986)
Celotex Corp v. Catrett, 477 US 317 (1986).
Jardel Co., Inc. v. Hughes, 523 A.2d 518 (Del. 1987).
Littleton v. Young, 608 A.2d 728 (Del. 1992)
Van Heast v. McNeil, Inc. 624 F. Supp.891 (D.Del. 1985)

Federal Rules of Civil Procedure

Fed. R. Civ. P. 56(a)

Constitutional Amendments

Amendment 14 due process and equal protection under the law

United States Code

28:1332 Diversity of Citizenship
28:1331 Fed. Question: Civil Rights Violation

Delaware State Law

Title 9 Del. Code 8722(d)
Title 25 Del. Code 2903(b)

Additional

RULES OF CIVIL PROCEDURE FOR THE SUPERIOR COURT OF THE STATE OF
DELAWARE II. COMMENCEMENT OF ACTION; SERVICE OF PROCESS. Rule 3.
Commencement of action. (a) Complaint and praecipe.

Delaware Rules of Civil Procedure: Rule 202. Judicial Notice of Law. (a) Judicial Notice of
Laws.

MODEL RULES OF PROFESSIONAL CONDUCT FOR LAWYERS

Rule 3.3 (Candor toward the tribunal),
Rule 3.4 (fairness to opposing party, 4.1 (truthfulness in statements to others) and
Rule 8.4 (it is professional misconduct for a lawyer to engage in conduct involving dishonesty,
fraud, deceit or misrepresentation)
Rule 8.4. Misconduct
It is professional misconduct for a lawyer to:
(a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce
another to do so or do so through the acts of another;

- (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;**
- (c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;**
- (d) engage in conduct that is prejudicial to the administration of justice;**
- (e) state or imply an ability to influence improperly a government agency or official or to achieve results by means that violate the Rules of Professional Conduct or other law; or**
- (f) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law.**

STATEMENT OF NATURE AND STAGE OF THE PROCEEDINGS

On July 11, 2018, Plaintiff Sandra Harmon, initiated this civil action against Jason Adkins, Dale Callaway, Department of Finance, Ellen Magee, J Bruce Mears, John Mills, Sussex County Administration, Sussex County Board of Adjustment & Appeals Members, E. Brent Workman.

The action was filed due to the escalating and uncontrolled conduct of Jason Adkins in selling Plaintiff property at Sheriff Sale on June 19, 2018 in violation of my right to due process both procedural and substantive, as well as Plaintiff right to equal protection under the law; despite Plaintiff water and sewer bill being paid in full, and the demolition cost currently being challenged in US District Court Civil Action Number 1:17 CV 01817.

On September 7, 2018 Defendants answered by way of a Motion to Dismiss Based upon Younger Abstention Doctrine.

On September 21, 2018 Plaintiff submitted an Answering Brief in Opposition of Defendants' Motion to Dismiss.

On September 28, 2018 Defendants submitted a Reply Brief on the MOTION to Dismiss.

On November 9, 2018 Plaintiff submitted a Letter to Judge Andrews dated 11/7/18 regarding alleged fictitious State Court case used for sole purpose of obstructing justice.

Sussex County Administration Counsel Jason Adkins, who is at the core of action necessitating court intervention in this case knowingly and intentionally engaged in acts that are not ambiguous, and are clear abuses, as well as a degradation of the judicial system. that there being no genuine issue of material fact between the parties Plaintiff and the Defendants', that this case is now before the court for summary judgment. Fed. R. Civ. P. 56(a); Celotex Corp v. Catrett, 477 US 317 (1986).

SUMMARY OF ARGUMENT

Sussex County Counsel Jason Adkins knowingly and intentionally violated Delaware State Laws and Rules of Court procedure, and in the process violated Delaware Model Rules of Professional Conduct for Lawyers in the course and manner in which he conducted the state and federal court proceeding engaging in blatant misrepresentations, dishonesty, fraud, deceit, with the intentions of misleading the court, which ultimately resulted in Plaintiff Property being sold at sheriff sale.

Jason Adkins defendants knowingly and intentionally violated the following model rules of professional conduct for lawyers: Rule 3.3 (Candor toward the tribunal), 3.4 (fairness to opposing party, 4.1 (truthfulness in statements to others) and 8.4(c) (it is

professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation) see more rule violations listed below.

Defendant's misconduct irrevocably poisoned these proceedings, and could not have been calculated to assist this Court in the administration of justice, but rather to win an advantage over the Plaintiff in these proceedings.

I. FACTUAL BACKGROUND

1. Delaware Superior Court docketed after June 17, 2018, a docket of entries was posted to Civil Action Number S18T-01-002.
2. According to the entries on January 12, 2018, Sussex County Attorney Jason Adkins filed an INITIAL COMPLAINT DATE DOCKETED: JANUARY 13, 2018 COMPLAINT FOR ENTRY OF JUDGMENT ON MONITION FILED. TAX MAP PARCEL NO.: 3-34-19.08-27.00 DESCRIPTION: 37533 OYSTER HOUSE ROAD, N/RD 273-C, W/LEWES-REHO CANAL, REHOBOTH BEACH, DELAWARE 19971 TAX YEARS: 2013-2017 AMOUNT: \$14,400.77 (JASON ADKINS) EXHIBIT A TAX MAP EXHIBIT B BILLING PRAECIPE MONITION
3. The Prothonotary, signed the Monition on Jan. 18, 2018. See R. 56(a) Exhibit 2 The monition referenced a sewer & water bill for \$3,021.84 & demolition \$11,378.93.
4. On October 16, 2017 Attorney Jason Adkins sought a lien for the sum of \$10,888.93 for the cost of demolition and legal fees. See R. 56(a) Exhibit 3
5. Thereafter, and before 10/31/2017, \$1323.76 in interest was attached to the sum of \$10,888.93 bringing the total due to 12,212.69 with and additional interest of \$146.25 and \$25.00 in fees bring the total to \$12,237.69. See R. 56(a) Exhibit 4
6. In addition, Jason Adkins presented an order to the Judge for signature that was dated by the court for 18 June 2018, again believing that Jason Adkins was being truthful in his pleadings to the court, the court initially declined my Motion to Dismiss and Transfer my case to Federal Court, alleging in this order that, " The monition sale sought by Plaintiff is premised upon the defendants' alleged failure to pay sewer and water..." It is time stamped on June 18, 2018 at 4:07pm. See R. 56(a) Exhibit 5
7. Yet, as noted by Sussex County's Attorney Jason Adkins own Exhibit A, The Jason Adkins was aware that the water and sewer bill was paid in full, via a receipt provided and docketed at 1:38pm on June 18, 2018 in the Superior Court Prothonotary Office, prior to him obtaining a court order for the June 19 Sheriff Sale of my, petitioner's beach property. See R. 56(a) Exhibit 6.

8. Determined to take away Plaintiff property, Attorney Jason Adkins disregarded the guidance of the court in the court's memorandum issued in related case no. 17-1817, where the Judge noted, "the Court finds that Plaintiff would suffer irreparable harm without injunctive relief based upon the unique nature of real estate and the fact that she will lose her interest in the property should the scheduled Sheriff's sale take place....the Court sees no substantial harm to Defendants as they already have a monition that can be enforced by a future Sheriff's sale. Any damage in scheduling a new Sheriff's sale is minimal when compared with Plaintiff's loss of her property.....there is a significant public interest in maintaining home ownership...".
9. Petitioner's Harmon property was unlawfully sold at Sheriff sale on June 19, 2018.
10. Petitioner filed an objection, and despite the unlawful conduct, the judge did not dismiss the case but instead stayed the state court proceeding pending the Federal Court ruling, which the judge noted will be binding on the state court case. A case in which Plaintiff seeks of the court to rescind the order, as it was unlawfully obtained by way of misrepresentation and fraud.

II. LEGAL BACKGROUND

According to the American Bar Association PREAMBLE: A LAWYER'S RESPONSIBILITIES: A lawyer's conduct should conform to the requirements of the law, both in professional service to clients and in the lawyer's business and personal affairs. A lawyer should use the law's procedures only for legitimate purposes and not to harass or intimidate others. A lawyer should demonstrate respect for the legal system and for those who serve it, including judges, other lawyers and public officials. While it is a lawyer's duty, when necessary, to challenge the rectitude of official action, it is also a lawyer's duty to uphold legal process.

In this case the unlawfulness exists because the General Assembly consisting of the Delaware State Legislatures promulgated state laws, with respect Monitions and the duration of liens, as well as the requirements for commencing a civil action in the Delaware State Courts, that were clearly established during the time Attorney Jason Adkins elected to engage in his misconduct. Yet Attorney Jason Adkins knowingly and intentionally violated the laws and attempted to cover up his wrong doings by altering the Superior Court Docket in an attempt to deceive the court for his own personal interest, and that of his business partners.

III. ARGUMENT

A. STANDARD OF REVIEW

“The court shall grant summary judgment if the movant shows that there is no genuine issue of material fact and the movant is entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(a). The “mere existence of some alleged factual dispute between the parties will not defeat an otherwise properly supported motion for summary judgment.” *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 247-48 (1986).

B. PLAINTIFF CONTENTIONS:

1. When Attorney Adkins filed the monition, he was aware of the Delaware State Law Specifically, Delaware State Law Title 9 § 8722 (d) Praecipe; judgment; monition. Section (d) which states that “...The tax collecting authority for New Castle, Kent and Sussex Counties may initiate and complete the monitions process against any property designated by the authority as having an unknown owner for a continuous period in excess of 5 years...”
2. He was also aware that the “unknown owner for a continuous period in excess of 5 years” provision was not met, and he could not use the monition process. Not even 4 months pasts, and Attorney Jason Adkins was in regular contact with me.
3. Jason Adkins conduct is a blatant misrepresentation to the courts, with the sole purpose of misleading the courts to believe that the owners were unknown for a continuous period in excess of 5 years, when in fact he was in contact with myself, via email as well as sending mail to my home address. Clearly he was knowingly and intentionally being deceitful, misleading, and engaging in fraud. See R. 56(a) Exhibit #1
4. The Prothonotary signed the order for the Monition on Jan. 18, 2018. See R. 56(a) Exhibit 2; The monition referenced a sewer & water bill for \$3,021.84 & demolition \$11,378.93.
5. On October 16, 2017 Attorney Jason Adkins sought a lien for the sum of \$10,888.93 for the cost of demolition and legal fees. See R. 56(a) Exhibit 3
6. In this case the lien was in effect for less than 6 months prior to commencement of a Sheriff sale on June 19, 2018.
7. Yet, Jason Adkins was aware of the Delaware State Law with respect to Liens, specifically Title 25 Del. Code 2903 Duration of lien states, “b) In Kent and Sussex

Counties the lien for county and state taxes shall remain a lien for the period of 2 years from July 1 of the year in which such tax has been imposed and no longer, and the lien for school taxes shall remain a lien for the period of 2 years from August 10 of the year in which the tax has been imposed and no longer...”

8. Thereafter, and before 10/31/2017, continually abusing their discretion the defendants attached a \$1323.76 in interest to the sum of \$10,888.93 bringing the total due to 12,212.69 with and additional interest of \$146.25 and \$25.00 in fees bring the total to \$12,237.69. See R. 56(a) Exhibit 4
9. In addition, Jason Adkins presented an order to the Judge for signature that was dated by the court for 18 June 2018, again believing that Jason Adkins was being truthful in his pleadings to the court, the court initially declined my Motion to Dismiss and Transfer my case to Federal Court, alleging in this order that, “The monition sale sought by Plaintiff is premised upon the defendants’ alleged failure to pay sewer and water....” It is time stamped on June 18, 2018 at 4:07pm. See R. 56(a) Exhibit 5
10. There was never a lien obtained for the water and sewer bill which was being paid without cause to the Sussex County Utility Department.
11. Yet, as noted by Sussex County’s Attorney Jason Adkins own Exhibit A, The Jason Adkins was aware, via a receipt provided and docketed at 1:38pm on June 18, 2018 in the Superior Court Prothonotary Office, prior to obtaining a court order for the June 19 Sheriff Sale of my, petitioner’s beach property. See R. 56(a) Exhibit 6.
12. Yet, Petitioner’s Harmon property was unlawfully sold at Sheriff sale.
13. There was no due process nor equal protection under the law afforded to me the plaintiff in the course and manner in which the proceedings in the state court was conducted.
14. The Fourteenth Amendment to the Delaware Constitution like the US Constitution is clear that, “No state shall deny to any person within its jurisdiction the equal protection and due process of the laws.”
15. Petitioner filed and objection, and despite the unlawful conduct, the judge did not dismiss the case but instead transferred it to Federal Court for proper ruling.

PLAINTIFF FURTHER CONTEND THAT THROUGHOUT THE COURSE AND MANNER OF THE JUDICIAL PROCEEDINGS SUSSEX COUNTY ATTORNEY JASON ADKINS ENGAGED IN PROFESSIONAL MISCONDUCT AND VIOLATED THE FOLLOWING RULES OF CONDUCT FOR LAWYERS. AND THE CURRENT DEFENSE LAWYERS JOINED IN TO PROTECT HIM IN HIS UNLAWFUL AND

UNETHICAL CONDUCT IN VIOLATION OF THE MODEL RULES OF PROFESSIONAL CONDUCT FOR LAWYERS.

Attorney Jason engaged in intentional dishonesty, fraud, deceit, and misrepresentation to the courts. His conduct ultimately resulted in the unlawful Sheriff sale of my privately owned property, which Plaintiff seeks to have rescinded. He showed outright disregard to me and my family human rights to enjoy our private property without the unlawful interference of the county government, all of which reflects adversely on his honesty, trustworthiness, or fitness of a lawyer in other respects

Attorney Jason Adkins defendants knowingly and intentionally violated the following model rules of professional conduct for lawyers: Rule 3.3 (Candor toward the tribunal), 3.4 (fairness to opposing party, 4.1 (truthfulness in statements to others), and Rule 8.4. Misconduct

It is professional misconduct for a lawyer to:

- (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so or do so through the acts of another;
- (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;
- (c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;
- (d) engage in conduct that is prejudicial to the administration of justice;
- (e) state or imply an ability to influence improperly a government agency or official or to achieve results by means that violate the Rules of Professional Conduct or other law; or
- (f) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law.

Likewise, the Model Rules notes that (b) A lawyer who represents a client in an adjudicative proceeding and who knows that a person intends to engage , is engaging or has engaged in criminal or fraudulent conduct related to the proceeding shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal. Which aligns with ABA Model Rules 8.4(c) (an attorney shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

To justify an award of punitive damages, the fact-finder must determine that the defendant acted with a culpable state of mind, i.e., with evil motive or reckless indifference to the rights of others. As noted above and throughout the pleadings in this case, the defendants under color of state law intentionally inflicted emotional distress and acted with specific intent to cause plaintiff harm, by committing tortious acts accompanied with fraud, ill will, recklessness, wantonness, oppressiveness, willful disregard of plaintiff's constitutional rights, by engaging in harassing tactics, and overall negative conduct to aggravate the injury they caused the plaintiff in selling Plaintiff private property at sheriff sale in violation of Delaware State Laws & Constitution, and preventing Plaintiff son from entering onto the property.

Punitive damages generally are available in Delaware. *Littleton v. Young*, 608 A.2d 728 (Del. 1992); *Jardel Co., Inc. v. Hughes*, 523 A.2d 518 (Del. 1987). An award of punitive

damages must subsist on grounds other than making the plaintiff whole. *Jardel Co., Inc. v. Hughes*, 523 A.2d 518 (Del. 1987); The standard for the imposition of punitive damages in Delaware is well settled. "In tort actions[,] punitive damages are appropriately imposed in situations where the defendant's conduct, though unintentional, has been particularly reprehensible, i.e., reckless, or motivated by malice or fraud."6 "If the defendant's conduct reflects a conscious indifference to a foreseeable result[,] punitive damages may be imposed to punish such indifference and to deter others from similar conduct."7 Punitive damages, however, are not appropriate for the purpose of making the plaintiff "whole."8 "Thus, even though the amount of compensatory damages claimed may be deemed slight in relation to the value of the entire transaction in which the defendant's conduct was manifested, an award of punitive damages is nonetheless appropriate if the defendant's state of mind meets the applicable standard."

My family has been displaced and continue to suffer tremendously as a direct result of defendant's evil and malicious conduct.

IV. CONCLUSION

As a public citizen, a lawyer should seek improvement of the law, access to the legal system, the administration of justice and the quality of service rendered by the legal profession. In this case, the lawyers have engaged in acts which degrade the judicial system.

The conduct displayed in this case has irrevocably poisoned the judicial proceedings in this case. None of the conduct displayed by the defendants and their counsel in this case could not even be calculated to assist the court in the administration of justice, but only to use their positions as attorneys to win the advantage of a pro se litigant.

The misrepresentations to the court in this case is an intentional egregious abuse of the judicial system, and again acts only to degrade the judicial system.

Reality is, the public interest is served when Courts impose proper sanctions, which demonstrates to members of the legal profession that such type of conduct as displayed in my case will not be tolerated in courts of competent jurisdiction.

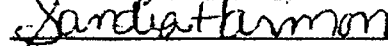
Moreover, it is on the Courts "to insist upon the maintenance of the integrity of the bar and to prevent the transgression of an individual lawyer from bringing its image into disrepute." After all the purpose of the sanction imposed on an attorney is to protect the public. Therefore, the public interest is served when sanctions designed to effect general and specific deterrence are imposed on an attorney who knowingly and intentionally violate the disciplinary rules.

WHEREFORE, Plaintiff's Motion for Summary Judgment should be granted and that Plaintiff be awarded the relief requested in her complaint, and that this court impose sanctions

against the defendant's, in this case via the imposition of monetary penalties, referral to the state bar, and any other relief that this court deem appropriate.

Respectfully submitted this 10th day of December, 2018,

Respectfully submitted,



Sandra Harmon, Plaintiff

Sohara1966@aol.com

815 F Street

Hartsville, SC 29550

Exhibit 16
include 6 pages

IN THE UNITED STATES DISTRICT COURT OF THE STATE OF DELAWARE

Sandra Harmon
Plaintiff,

C.A. 18 - 1021

VS.

Department of Finance, Sussex Co. Delaware
Jason Adkins individually and in his capacity as defense counsel for
Sussex County Administration,
Sussex County Board of Adjustment & Appeals Members
Dale Callaway, Chairman individually and in his capacity as Chairman
Ellen Magee, individually and in his capacity as a board member
J Bruce Mears, individually and in his capacity as a board member
John Mills, individually and in his capacity as a board member
E. Brent Workman, individually and in his capacity as a board member
Sussex County Administration
Defendants,

FILED
CLERK OF DISTRICT COURT
U.S. DISTRICT COURT
DELAWARE
2018 JUL 11 PM 2:13

NOTICE OF COMPLAINT

(ALL ACTS COMMITTED IN THIS COMPLAINT WERE COMMITTED UNDER THE
COLOR OF STATE LAW).

STANDARD OF REVIEW "Abuse of Discretion"

Sandra Harmon, pro se files this notice of complaint against the defendants due to the escalating and uncontrolled conduct of Jason Adkins in selling Plaintiff property at Sheriff Sale on June 19, 2018 in violation of my right to due process both procedural and substantive, as well as Plaintiff right to equal protection under the law; despite Plaintiff water and sewer bill being paid in full, and the demolition cost currently being challenged in US District Court Civil Action Number 1:17 CV 01817. In support of this complaint Plaintiff avers as follows:

JURISDICTION AND VENUE

1. This Court has Jurisdiction pursuant to Article III of the US Constitution & Title 28 USC 1332 Diversity of Jurisdiction
2. The events that gave rise to this action occurred in this district.

PARTIES

1. Sandra Harmon, Plaintiff, whose mailing address is 815 F Street, Hartsville, SC 29550
2. Jason Adkins. Defendant, individually and in his capacity as Sussex County Attorney
122 W. Market Street, Georgetown, De. 19947
3. Department of Finance, Sussex County, De. Defendant's individually and in each of their capacities as employees in the Dept of Finance.

Gina Jennings, Defendant whose mailing address is 2 The Circle, Georgetown, DE. 19947
Kathy Roth, Defendant, whose mailing address is 2 The Circle, Georgetown, DE. 19947

- 4. Board of Adjustment and Appeals Members: Defendant's individually and in each of their capacities as board members**
Dale Callaway, Defendant whose mailing address is P.O. Box 321, Milton, De. 19968.
Ellen Magee, Defendant whose mailing address is 34857 Lighthouse Road, Selbyville, De. 19975
J. Bruce Mears, Defendant whose mailing address is 31370 Railway Road, Unit 2, Ocean View, De. 19970
John Mills, Defendant whose mailing address is 127 Oak Lane Drive, Laurel, De. 19956
E. Brent Workman, Defendant whose mailing address is 15376 Adams Road, Bridgeville, De. 19933

CLAIM

- 1. The defendants are violating Plaintiff right to due process and equal protection under the law as guaranteed by the US Constitution by engaging in arbitrary conduct with respect to the selling of Plaintiff property at Sheriff Sale on June 19, 2018.**
- 2. According to a call from the County that Plaintiff Brother-in-law Lefton Harmon, and Plaintiff Confirmation of the call July 6, 2018, Plaintiff property was unlawfully sold at Sheriff Sale on June 19, 2018 in violation of her constitutional right to due process & equal protection under the law by the defendants.**
- 3. The Board of Appeals failed to monitor the unlawful conduct of Attorney Jason Adkins, their employee and other defendants that violated Plaintiff Constitutional Rights.**
- 4. Department of Finance violated Plaintiff right to equal protection and due process by selectively seeking full judgement and inflating the interest cost within 32 days after the demolition cost of her property, failing to have any kind of communication with respect to the demolition cost by any county personnel, and failing to provide plaintiff a hearing date and an opportunity to be heard.**
- 5. The Defendants, failed to monitor the unlawful conduct of Attorney Jason Adkins, their employee and other defendants that violated Plaintiff Constitutional Rights.**
- 6. Defendant Jason Askins is acting in a discriminatory manner by failing to adhere to the rules of Civil Procedure, stripping plaintiff property away for the personal benefit of his wealthy friends, violating the model rules of conduct for lawyers, engaging in unlimited and conflicting roles acting as defense counsel, data entry clerk, and Judge in the same case which he is a plaintiff, in violation of plaintiff right to due process & equal protection under the law.**
- 7. Defendants are engaging in actions runs afoul of the Racketeer Influenced and Corrupt Organizations Act, and violates Title 18 Section 241, 242 of the United States**

FACTS SUPPORTING CLAIM

1. Plaintiff received a call today from a county official that informed co-owner Lefton Harmon that the property was sold at sheriff sale to Hudson & Downs on June 19, 2018.
2. However, a Lis pendens remain on the property.
3. Department of Finance, Sussex County, Delaware placed the Plaintiff Property up for sheriff sale on June 19, 2018.
4. The Department alleged that Plaintiff owed for a sewer and water bill which was paid in full with the Cashier's Check dated June 15, 2018, attached as Plaintiff Exhibit No. 1.
5. Defendants also allege a demolition cost from a demolition that took place on September 14, 2017.
6. Department of Finance never consulted with the Plaintiff nor the Co-Owner Lefton Harmon regarding payment for the demolition costs.
7. Plaintiff Sandra Harmon, paid \$100 monthly toward the costs, but eventually stopped until the District Court rules on the issue.
8. Costello first noted that the demolition fee will be no more than \$7000.
9. Within 32 days of the demolition of my property, Superior Court Data Base on October 16, 2017 attempted to seek a Judgment for the full cost of demolition.
10. In addition, within 47 days, the Department of finance added an interest fee of 1323.76 to the total of demolition. *Ex #3*
11. This conduct is very arbitrary.
12. Neither of the defendants filed a complaint in Superior Court nor served a complaint on the Plaintiff, Lefton Harmon, nor in the name of LeRoy Harmon heirs with respect to both the water and sewer, nor the demolition costs.
13. Attorney Jason Adkins engaging in racist conduct of undermining the property rights of African American's like myself, decided that he would take away my rights to my beach property by any means necessary.
14. It appears from the Superior Court Data Base, that the defendants contemplated obtaining judgment against the Plaintiff, Sandra Harmon, Lefton Harmon, and Heirs of LeRoy Harmon as early as October 16, 2018. However, a complaint was never generated nor served on the Plaintiffs. See copy of information obtained from Superior Court Data Base on 6/17/2018. Exhibit #2
15. Further, a complaint was never filed nor served on the Plaintiff, Lefton Harmon, nor in the name of LeRoy Harmon Heirs on January 12, 2018.
16. There was no due process neither procedural nor substantive given to Plaintiff, Lefton Harmon, nor in the name of LeRoy Harmon Heirs.
17. On May 29, 2018 Defendant Jason Adkins as Defense Counsel for Sussex County, decided to engage in a conflicting role, by issuing an order, signing in the role as a Judge to have the Plaintiff property sold at Sheriff sale, without due process of law.
18. Attorney Adkins racist conduct is clear, he doesn't seem to believe that African Americans have rights at law. His racists, and arbitrary conduct is intentional, shocking, and in disregard for the Federal Rights of myself the Plaintiff and my family.

19. Moreover, it's in disregard of the US District Court. His conduct and those that support it shows that Sussex County Administration is knowingly engaging in corrupted actions that may run afoul of the Racketeering and Corrupt Organization Act (RICO).
20. Plaintiff challenged the May 29, 2018 order, Plaintiff was baffled that an initial complaint was not filed, a summons was not issued, and no other action was taken affording the Plaintiff Sandra Harmon, Lefton Harmon, nor the Heirs of LeRoy Harmon to properly respond with a day in court to address the matter.
21. It appears as if Jason Adkins reacted to Plaintiff refusal on May 27 to sale her property to his wealthy colleagues.
22. Jason Adkins placed several false in misleading entries on the docket acting in his third capacity or job as a data clerk, which were recently added after June 17, 2018. See previous information obtained from Superior Court Data Base @ Exhibit #2
23. Jason Adkins conduct continues to cause plaintiff alarm, and emotional stress.
24. Plaintiff contend that the Younger Doctrine does not apply in this case because Defendants failed to file an initial complaint in the Superior Court, so technically there is no case filed, nor pending. The S18T-01-002 case number is clearly bogus, and it's unlawful generation represents racketeering and corruption at the hands of Sussex County Officials.
25. Jason Adkins Court Order signed by him acting as a Judge of the Superior Court was certainly filed out of compliance with court rules of civil procedure, as Plaintiff was never afforded procedural due process i.e. served with a complaint and having an opportunity to be heard in a court of law, on the issues raised by Attorney Jason Adkins.
26. Again, none of the defendants filed civil action in the state court- Superior Court in compliance to the Case Filing Rules, required for the filing of a case. No complaint, no summons issued nor served on the Plaintiff, Lefton Harmon, nor in the name of LeRoy Harmon heirs.
27. It's been less than a year since the demolition. Dept. of Finance, conduct in this case is clearly arbitrary, and unreasonable.
28. Citizens are usually afforded a reasonable time and payments on bills such as the demolition cost.
29. This case certainly required court intervention because the sale of Plaintiff property violates Plaintiff Constitutional Rights to due process and equal protection under the law.
30. With the high cost noted on the demolition, at the rate given, the monthly payment would be well over \$1000 a month, clearly unreasonable and unheard of.

WHEREFORE, Plaintiff, Sandra Harmon respectfully request of this court for the following relief:

1. Request that this court issue an order, requiring Jason Adkins to halt his misconduct, and find him in contempt and in violation of court rules of civil procedure.

2. That this Court award Plaintiff Sandra Harmon \$1,000,000.00 against the defendants in this civil action for the intentional infliction of emotional distress, and the violations of Plaintiff Constitutional Rights to Due Process & Equal Protection Under the Law.
3. That the Illegal Sheriff Sale of Plaintiff Property be immediately rescinded.
4. That Defendants provide plaintiff with the equal protection of the law and afford her the opportunity to make payments as any other resident if this court determine that Plaintiff is responsible for the cost of demolition, after the adjudication of case number 1:17 CV 01817.
5. To not join the cases, in District Court, but to adjudicate them separately, as action needed to be filed a result of the phone called received from the county today. July 6, 2018.
6. Award the Plaintiff Court Cost and other incidental fees related to having to file this case.
7. Appoint the Plaintiff an attorney to aid in litigating this case to level the playing field for justice in this case.
8. Award Attorney Fees in the event an attorney takes on this case for the Plaintiff.

Dated: July , 2018

Respectfully submitted,


Sandra Harmon
815 F Street
Hartsville, SC 29550
Sohara1966@aol.com

IN THE UNITED STATES DISTRICT COURT OF THE STATE OF DELAWARE

Sandra Harmon

C.A. _____

VS.

Department of Finance, Sussex Co. Delaware et. al.

CERTIFICATE OF SERVICE

Plaintiff certify that each of the defendants were provided 2 copies of the waiver of service and a copy of the Notice of Complaint w/ exhibits at the following addresses.

1. Jason Adkins. Defendant,
122 W. Market Street, Georgetown, De. 19947
2. Department of Finance, Sussex County, De.
Gina Jennings, Defendant whose mailing address is 2 The Circle, Georgetown, DE. 19947
Kathy Roth, Defendant, whose mailing address is 2 The Circle, Georgetown, DE. 19947
3. Board of Adjustment and Appeals Members:
Dale Callaway, Defendant whose mailing address is P.O. Box 321, Milton, De. 19968.
Ellen Magee, Defendant whose mailing address is 34857 Lighthouse Road, Selbyville,
De. 19975
J. Bruce Mears, Defendant whose mailing address is 31370 Railway Road, Unit 2, Ocean
View, De. 19970
John Mills, Defendant whose mailing address is 127 Oak Lane Drive, Laurel, De. 19956
E. Brent Workman, Defendant whose mailing address is 15376 Adams Road, Bridgeville,
De. 19933
4. Sussex County Administration: Tod Lawson, Defendant , Sussex County Administration,
Office Bldg., 1st Fl., 2 The Circle, Georgetown, De. 19947.

Dated: July , 2018

Respectfully submitted,


Sandra Harmon

815 F Street
Hartsville, SC 29550
Sohara1966@aol.com

Exhibit 8

*More detailed
Suffering
by me & my family*

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

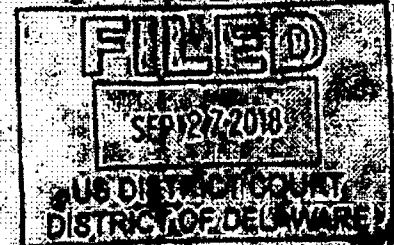
Sandra Harmon
Plaintiff

C.A. No.: 1:17-cv-01817-RGA

VS.

Sussex County Administration et.al.
Defendant

PLAINTIFF RESPONSE TO INTERROGATORIES



1. Plaintiff prepared her answers.
2. Plaintiff had multiple conversations with the defendants by email and by telephone. Plaintiff did not record the dates of her communications with the defendants. However, Plaintiff mentions contact with the defendants via email correspondence.
3. Plaintiff requests are not limited to the Wherefore Clause at page 6 on the complaint.

2 Factual & Legal Basis for relief

Defendants engaged in reprehensible conduct causing physical and economic harm to the Plaintiff and her family members by showing indifference and reckless disregard to the Plaintiff and her family members by intentionally having plaintiff home and property destroyed by fire and then demolished.

Defendants, Mike Costello, Jason Adkins, and Tod Lawson engaged in a tortious interference with Plaintiff Property rights.

Delaware Trial Handbook § 20:1. CIRCUMSTANTIAL EVIDENCE Notes that, "Often times direct eyewitness or documentary evidence of an event will not be available. When that occurs, a party may seek to prove a fact by proving collateral facts which supposedly have a causal relationship or relation with a fact in controversy. These connected facts permit the trier of fact to conclude that the fact in controversy follows as a natural or very probable conclusion from the facts actually proved. This evidence, called circumstantial evidence, permits an inference of fact from other facts proved. In other words, circumstantial evidence is testimony not based on direct personal knowledge or observation of the facts in controversy, but of other facts from which conclusions are drawn, showing indirectly the facts sought to be proved. 1 Circumstantial evidence is admissible in both civil and criminal cases. 2 Circumstantial evidence carries the same weight as direct evidence. 3 and is sufficient of itself to establish criminal guilt or civil liability. 4 as well as any individual element of a criminal charge. 6 or civil claim. 7

Therefore, although the plaintiff doesn't have eye witness testimony, Plaintiff is left with circumstantial evidence of the defendants engaging in a pattern of unlawful conduct for the purpose of stripping plaintiff property rights away from her after Plaintiff refused to sell her property to wealthy business men Downs & Hudson for several years now, who sought to purchase Plaintiff property. With plaintiff refusal to sell, the business men using their connection with the county attorney Jason Adkins and Mike Costello with the support of Ted Lawson, intentionally and recklessly using gasoline started a fire and burned plaintiff home and destroyed my property. The defendants in concert devised a plan to douse the home with gasoline throughout the home, and burn Plaintiff home when the residents left the home, demolish it. In the process, disregarding plaintiff property rights, violating and disregarding Delaware State Law, Sussex County policy violations, and Superior Court Rules of Civil Procedure.

- (A) Plaintiff is seeking compensatory damages for the total replacement of her home which includes my basement, paved front in the front entrance of my home, complete water system, and complete electric system to be reconstructed using the same measurements as outlined by the foundation of the home the defendants demolished at the expense of the defendants. To include replacement of household furnishing, shoes, clothing, food & appliances.

Compensatory damages are intended to redress the material loss that the plaintiff has suffered by reason of the defendant's wrongful conduct

- (B) Awaiting Estimate of the total cost for replacement for now it \$350,000.00

- (C) Timothy O'Hare 18512 New Hope Rd. Ellendale, De. 19941
Eugene Jones. 815 F Street, Hartsville, SC 29550

3. Factual & Legal Basis for relief

My children and grandchildren who were residing in the home at the time were left homeless as a direct result of the defendants conduct. My son had to stay in hotels/ motels with my grandchildren to prevent him from losing custody of his boys he keeps as a single parent. My daughter was forced to live from friend to friend house(s). She even picked up the immoral trade of becoming a prostitute using her body to get money to pay for a motel room when she was unable to stay at her friend's home. My grandchildren at times resided with different friends of mine (plaintiff) due to my son's Delaware Family Court Custody Order which required that they not be removed from out of the State of Delaware to live without the consent of their other parent. It must be noted that, "My son tried in the past to move my grandson to North Carolina, and was ordered by the Delaware Court to return him back to Delaware. Custody was then taken from my son; then with the assistance of counsel, custody was returned to him." Therefore, my son could not remove my grandsons out of the State of Delaware, because both mothers opposed.

Feeding the boys on a day to day basis in the state became costly, as my son and grands lived from place to place seeking shelter. Over a year after the burning of the home, my son was able to locate a trailer for \$600 a month for rent in a very shabby and filthy trailer park where he continues to live in substandard housing that I am sure is not legally habitable for humans, but he have no choice because he can't afford housing elsewhere, and the court awarded him years ago to be the Primary Custodial Parent of my now 14 year old grandson, and recently awarded him to be the primary custodial parent of his 9 year old son that he has kept for years prior as a single parent.

So, the defendants conduct continues to result in deep seated emotional distress to me as a grandparent, my adult son, my adult daughter, and my grandsons. As a result of my son having to live in motels and hotels, he ended up getting behind in the child support of his 3rd son. This resulted in him being arrested. I had to come to Delaware from North Carolina to pay his back child support fee so that he could be released. In the process my son lost his job. At which time I asked a close friend of mine, Ms. Alvannah to please allow my son and grandsons to live in her home until I am able to help him to locate an affordable home to rent. In the meantime, my son was able to locate another job, and my girlfriend Ms. Alvannah helped out with the care of my grandchildren. After my son was there at Ms. Alvannah's for a few months, her grandchild needed a place to live so my son and grandchildren had to relocate. The boys were split and my girlfriend Georgia allowed my 14 year old grandson to temporarily stay at her home. My youngest grandson mother's boyfriend didn't want her to keep her son in his home. So, my son slept in his car a few days, and took my youngest grandson to work with him, as he worked a night shift. My youngest grandson would then sleep inside the car while his father would make checks on him. I came back up to Delaware, clean out the shed, put a queen size bed in the shed, put linoleum on the floor of the shed, purchased a refrigerator and ran a water line to the shed so that it would have running water, and purchased a generator to operate the lights. I stayed there a few days, and was contacted by the cops who said I am not supposed to be on the property. I shared with the cops I am the property owner. I was then contacted via telephone by my brother-in-law and given Kelly Passwater number to contact. She shared with me no one could live in the shed, it was a violation for the shed to be there, and the shed had to be moved. So, my son was repeatedly confronted by the cops that no one could live in the shed. The defendants wanted to make sure that my family no longer live on the property. The defendants conduct continues to result in Long-term displacement of suitable living dwelling for my children and grandchildren.

Today, my adult children and minor grandchildren continue to suffer as a direct result of the defendants conduct. My daughter is now pregnant and resides in the trailer that my son rents in Ellendale with him and his two boys. I had to purchase small foldable beds for my grandson to sleep on. Also, when I come to Delaware now to visit, I have no home to live in.

On top of the burning of my home, I had to deal with the unexpected death of my 19 year old transgender son who was murdered. I was unemployed at the time relying on my daughter survivor's social security income, and monies from a friend. I had funeral expenses to pay. So, when the defendants began to engage in their evil conduct, I felt as though I was going

Case 1:18-cv-01021-RGA Document 21 Filed 02/11/19 Page 41 of 51 PageID #: 355

Case 1:17-cv-01817-RGA Document 55 Filed 09/27/18 Page 4 of 13 PageID #: 366

There is no fee for demolition appeals. *600 was not required the defendant to believe* *appellate falsely stated their was a fee when under Co. Codes there is no fee for demolition appeals*

to lose my mind. It's only so much a human being can take. I shared with Mr. Costello and Jason Adkins that I was unable to advance the \$500 at the time because I was trying to pay off the cost of my son's funeral expenses, making good on my promise to pay the funeral home because my son didn't have life insurance. Neither of the defendant's cared about my plight, it was inhumane. At the time, I was just dealing with too much, but I knew I couldn't take my own life because I have a minor daughter, and minor grandchildren along with adult children that needed me. Today, I still have not recovered from the death of my baby boy. I keep myself actively involved with work and helping out with student learning activities to keep me from dealing with life's realities. The emotional toll to include the undue stress that the defendants continue to cause me is unspeakable. I thought by filing action in federal court, that they would stop their unlawful tactics and harassment, but it continued. Defendant Jason Adkins has total disregard for the law, a practice that has been common in courts in Sussex County, as it relates to minorities. The emotional roller coaster, and the stress inflicted continued to the point where I had to file another complaint under the standard of the continuing violation theory. See attached copy on my son's obituary. Interrogatory Exhibit No. 1

In determining punitive damages, the award is generally decided according to the severity of the defendants conduct.

In this case the unlawful tactics and harassment engaged in by the defendants are unconscionable, shocking, arbitrary, capricious, none of their action are related to a legitimate government purpose. The defendants acted in total disregard of the Plaintiff and her children and grandchildren's constitutional right to privacy, procedural due process, and equal protection under the law.

Moreover, the defendants also acted with a culpable state of mind, with evil motive, and reckless indifference to me the Plaintiff and my adult children and minor grandchildren.

\$2,000,000.00

(A) Therefore, Plaintiff is seeking \$2,000,000.00 punitive damages. To justify an award of punitive damages, the fact-finder must determine that the defendant acted with a culpable state of mind, i.e., with evil motive or reckless indifference to the rights of others. As noted above and throughout the pleadings in this case, the defendants under color of state law intentionally inflicted emotional distress and acted with specific intent to cause plaintiff harm, by committing tortious acts accompanied with fraud, ill will, recklessness, wantonness, oppressiveness, willful disregard of plaintiff's constitutional rights, by engaging in harassing tactics, and overall negative conduct to aggravate the injury they caused the plaintiff in destroying my home, leaving my son, my adult daughter and my grandkids homeless, and preventing me the plaintiff from having a home to come to for the summer months.

Punitive damages generally are available in Delaware. *Littleton v. Young*, 603 A.2d 723 (Del. 1992); *Jardel Co., Inc. v. Hughes*, 523 A.2d 518 (Del. 1987). An award of punitive damages must subsist on grounds other than making the plaintiff whole. *Jardel Co., Inc. v. Hughes*, 523 A.2d 518 (Del. 1987); The standard for the imposition of punitive

damages in Delaware is well settled. "In tort actions[,] punitive damages are appropriately imposed in situations where the defendant's conduct, though unintentional, has been particularly reprehensible, i.e., reckless, or motivated by malice or fraud." 6 "If the defendant's conduct reflects a conscious indifference to a foreseeable result[,] punitive damages may be imposed to punish such indifference and to deter others from similar conduct." 7 Punitive damages, however, are not appropriate for the purpose of making the plaintiff "whole." 8 "Thus, even though the amount of compensatory damages claimed may be deemed slight in relation to the value of the entire transaction in which the defendant's conduct was manifested, an award of punitive damages is nonetheless appropriate if the defendant's state of mind meets the applicable standard."

#4

Self-explanatory -- as stated, and the details are further explained in 2, 3, 7 & within the pleading submitted to the court in this complaint.

#5

- (A) Defendants Mike Costello, Jason Adkins, & Todd Lawson
- (B) Address for each defendant is listed on the initial complaint.
- (C) Refer to the pleadings submitted to the court

#6. Self-explanatory as written, the defendants Jason Adkins, Mike Costello, and Todd Lawson using their administrative powers as employees of Sussex County engaged in conduct that resulted in plaintiff water being cut off, covering my wall with dirt, and making it impossible to connect to my water supply that existed on my property.

#7. Defendant Passwater verbally informed plaintiff via telephone contact made by the plaintiff to Passwater not sure of date have to refer to exhibits submitted with the initial complaint. Passwater informed Plaintiff that the shed violated county codes despite the shed being at its same location over 10 years. My deceased husband obtained a permit prior to the shed being placed on the property. Therefore, working in concert with Mike Costello and Jason Adkins plan to prevent plaintiff from having use of her private property. Passwater issued me Plaintiff a violation notice via email, and threatened to remove my shed from my private property. However, it appears that after she became knowledgeable regarding the evil motives and intent of both Mike Costello and Jason Adkins, she outright abandoned delivery/ action on her threat to have my shed removed from my private property. My shed remains on my property. However, Plaintiff and her family are not allowed to reside in the 14 X 24 shed without being arrested by the local cops. I want the court to issue an order for the county to leave my shed at its current location, as a permit was properly obtained for placement of the shed at its current location. The shed only became a problem due to Mike Costello and Jason Adkins evil conduct.

#8. I, Plaintiff, spoke with Mike Costello, and he shared with me that all I needed was to remove any loose structures and cover the burnt home with a tarp, and it would be

sufficient for the city/ county. Therefore, I had Delmarva Waste Authority to bring a commercial dumpster at my home, and I paid a crew of workers to remove the trash and other debris from my home, and take down all loose structures. After they completed the work, I purchased multiple tarps from Lowes Home Improvement Store, and placed the tarp over my home and tied the tarp down securely. Later, I received a call from my brother-in-law regarding a demolition order see further explanation in Plaintiff Initial complaint to this court.

19. My brother-in-law was angry to hear about the house fire.

20. Self Explanatory - as stated

See attached email and proposed order

21. Details are as stated. A copy of the corresponding email is included in the exhibits filed with the initial complaint. Mike Costello & Jason Adkins

22. Details are as stated. A copy of the corresponding email is included in the exhibits filed with the initial complaint. Mike Costello & Jason Adkins

23. Details are as stated. A copy of the corresponding email is included in the exhibits filed with the initial complaint. Mike Costello & Jason Adkins.

Plaintiff seeks the defendants in this action to pay the full cost of demolition. \$12,257.69

24. I received a call from my son Timothy O'Hara, who shared with me that a friend of his from the area called him and notified him that people were tearing down the home.

25. Details are as stated. A copy of the corresponding email is included in the exhibits filed with the initial complaint. Mike Costello & Jason Adkins

26. Details are as stated. A copy of the corresponding email is included in the exhibits filed with the initial complaint. Mike Costello & Jason Adkins

27. Details are as stated. A copy of the corresponding email is included in the exhibits filed with the initial complaint. Mike Costello & Jason Adkins

28. Details are as stated. A copy of the corresponding email is included in the exhibits filed with the initial complaint. Mike Costello & Jason Adkins

29. This information was communicated to me by my neighbor Mr. Lynch.

30. This information was communicated to me by my neighbor Mr. Lynch.

31. My summation based on information that was shared to me by Mr. Lynch.

32. My summation based on the fact that Mr. Costello stated all I need to do was to remove loose structures, clean up the trash/ debris, and put a tarp over the home and this would be

sufficient, since no one lived near my home; as the home is in a somewhat isolated corner.
23. This fact is provided by me. Hudson & Downs for years now have been trying to acquire my property so that they could build more condominium units to sale. In addition, West Rehoboth Land Trust talked with my husband trying to seek my husband to transfer title of his land into a community land trust for 99 years. Hudson and Downs own the real estate adjacent to my property. Me and my husband refused to sale and/ or transfer the property. Determined to gain possession of my property by any means necessary, Hudson and Downs recruited Jason Adkins, and Adkins appear to have recruited Mike Costello, and Mike Costello then Kelly Passwater, with Todd Lawson standing back with knowledge of the actions of the culprits, but allowing the unlawfulness to continue as noted by the conduct of the defendants as disclosed in the pleadings to this court.

Dated September 24, 2018

Respectfully submitted,

Sandra Harmon
Sandra Harmon

815 F Street

Hartsville, SC 29550

Sohara1966@aol.com

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

Sandra Harmon
Plaintiff

C.A. No.: 1:17-cv-01817

VS.

Sussex County Administration et.al.
Defendant

CERTIFICATE OF SERVICE

I, Sandra Harmon certify that a true and correct copy of the PLAINTIFF RESPONSE TO INTERROGATORIES Was mailed US Mail prepaid postage to the following on September 24, 2018.

Art C. Arenilla, 1007 N. Orange Street, Suite 600, Wilmington, DE 19899

Dated September 24, 2018

Respectfully submitted,

From: sohara1966@aol.com,
To: jadkins@mooreandrutt.com,
Subject: RE: Notice of Cancellation of Board of Appeals Hearing
Date: Fri, Sep 15, 2017 7:40 am

Exhibit #18
Note: Jason Adkins had my info.
there was no reason for us.
Motion for unknown owner but

Please take this as notice that I will be filing for an injunction against the demolition as well as an appeal of the fee waiver denial

Sent from AOL Mobile Mail

On Thursday, September 14, 2017 Jason Adkins <jadkins@mooreandrutt.com> wrote:

Ms. Harmon,

Please see the attached letter, a copy of which is also being mailed via first class mail this afternoon.

* Note there was no fee required for
demolition appeal. Jason Adkins
engaging in fraud and
misrepresentation noted the
Building Construction
Code \$600 filing fee
which did not apply
to Plaintiff below/Appellants.

Thank you,

Jason W. Adkins, Esquire

Moore and Rutt, P.A.

122 W. Market Street

Georgetown, DE 19947

(302) 856-9568

JAdkins@mooreandrutt.com

Moore and Rutt, P.A. is not providing any advice with respect to any federal tax issue in connection with this matter. The information contained in this e-mail message is intended only for the use of the individual or entity named above and may be privileged and/or confidential. If reader of this message is not the intended recipient, you are hereby notified that any unauthorized dissemination, distribution or copying of this communication is strictly prohibited by law. If you have received this communication in error, please immediately notify us by return e-mail or telephone (302) 856-9568 and destroy the original message. Thank you.

OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT

CLERK



UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET

PHILADELPHIA, PA 19106-1790

Website: www.ca3.uscourts.gov

TELEPHONE

215-597-2995

June 9, 2021

Kevin J. Connors
Marshall Dennehey Warner Coleman & Goggin
1007 North Orange Street
Nemours Building, Suite 600
Wilmington, DE 19801

Sandra Harmon

Walter F. Kawalec III
Marshall Dennehey Warner Coleman & Goggin
15000 Midlantic Drive
Suite 200, P.O. Box 5429
Mt. Laurel, NJ 08054

RE: Sandra Harmon v. Department of Finance, et al

Case Number: 21-1317

District Court Case Number: 1-18-cv-01021

ENTRY OF JUDGMENT

Today, **June 09, 2021** the Court issued a case dispositive order in the above-captioned matter which serves as this Court's judgment. Fed. R. App. P. 36.

If you wish to seek review of the Court's decision, you may file a petition for rehearing. The procedures for filing a petition for rehearing are set forth in Fed. R. App. P. 35 and 40, 3rd Cir. LAR 35 and 40, and summarized below.

Time for Filing:

14 days after entry of judgment.

45 days after entry of judgment in a civil case if the United States is a party.

Form Limits:

3900 words if produced by a computer, with a certificate of compliance pursuant to Fed. R. App. P. 32(g).

15 pages if hand or type written.

Attachments:

A copy of the panel's opinion and judgment only.

Certificate of service.

Certificate of compliance if petition is produced by a computer.

No other attachments are permitted without first obtaining leave from the Court.

Unless the petition specifies that the petition seeks only panel rehearing, the petition will be construed as requesting both panel and en banc rehearing. Pursuant to Fed. R. App. P. 35(b)(3), if separate petitions for panel rehearing and rehearing en banc are submitted, they will be treated as a single document and will be subject to the form limits as set forth in Fed. R. App. P. 35(b)(2). If only panel rehearing is sought, the Court's rules do not provide for the subsequent filing of a petition for rehearing en banc in the event that the petition seeking only panel rehearing is denied.

Please consult the Rules of the Supreme Court of the United States regarding the timing and requirements for filing a petition for writ of certiorari.

Very truly yours,

Patricia S. Dodszuweit, Clerk

By: s/ Anthony

Case Manager

267-299-4916

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 19-3191

SANDRA HARMON,
Appellant

v.

DEPARTMENT OF FINANCE, Sussex Co. Delaware; JASON ADKINS, individually and in his capacity as defense counsel for Sussex County Administration; SUSSEX COUNTY BOARD OF ADJUSTMENT & APPEALS MEMBERS; DALE CALLAWAY, Chairman individually and in his capacity as Chairman; ELLEN MAGEE, individually and in her capacity as a board member; J. BRUCE MEARS, individually and in his capacity as a board member; JOHN MILLS, individually and in his capacity as a board member; E. BRENT WORKMAN, individually and in his capacity as a board member; SUSSEX COUNTY ADMINISTRATION

On Appeal from the United States District Court
for the District of Delaware
(D.C. Civil Action No. 1-18-cv-01021)
District Judge: Honorable Richard G. Andrews

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)
April 20, 2020
Before: SHWARTZ, RESTREPO and NYGAARD, Circuit Judges

(Opinion filed: April 27, 2020)

OPINION*

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

PER CURIAM

Pro se appellant Sandra Harmon appeals the District Court's order dismissing her complaint. For the reasons detailed below, we will vacate the District Court's judgment and remand for further proceedings.

Harmon owned real property in Rehoboth Beach, Delaware. In January 2018, Sussex County commenced a monition¹ action against Harmon to collect delinquent sewer and water bills and costs incurred when it demolished her fire-damaged home. Harmon claims that she paid the sewer and water bills, but that Sussex County and the individual defendants never consulted with her about the demolition costs, failed to give her notice of the monition action, charged excessively high interest on the demolition costs, and sold the property at a sheriff's sale without providing her with a reasonable time to pay the outstanding costs. She filed a complaint in District Court under 42 U.S.C. § 1983 alleging that the defendants had violated her constitutional rights.

The defendants filed a motion to dismiss arguing that, because the state monition action remained ongoing, the District Court should abstain under Younger v. Harris, 401 U.S. 37 (1971). The District Court granted the motion. Harmon filed a timely notice of appeal.²

¹ "Monition" is "a legal process in the nature of a summons or citation to appear and answer (as in default of performing some certain act)." Monition, Merriam-Webster's Unabridged Dictionary (2016).

² Harmon also filed a motion for reconsideration, which the District Court denied. Because Harmon did not file a timely new or amended notice of appeal encompassing the order denying her motion for reconsideration, we lack jurisdiction to consider that order. See Fed. R. App. P. 4(a)(4)(B)(ii); Carrascosa v. McGuire, 520 F.3d 249, 253–54 (3d Cir.

We have jurisdiction pursuant to 28 U.S.C. § 1291. “We exercise plenary review over whether the requirements for abstention have been met.” Miller v. Mitchell, 598 F.3d 139, 145–46 (3d Cir. 2010).

We will vacate the District Court’s judgment. The Court concluded that abstention under Younger was appropriate because “(1) there are ongoing state proceedings that are judicial in nature; (2) the state proceedings implicate important state interests; and (3) the state proceedings provide an adequate opportunity to raise the federal claims.” ECF No. 23 at 6. These factors were set forth in Middlesex County Ethics Committee v. Garden State Bar Association, 457 U.S. 423, 432 (1982).

However, in Sprint Communications, Inc. v. Jacobs, 571 U.S. 69 (2013), the Supreme Court “narrowed Younger’s domain.” Malhan v. Sec’y U.S. Dep’t of State, 938 F.3d 453, 462 (3d Cir. 2019). “The Court explained—and we have stressed several times since—that the ‘three Middlesex conditions’ are no longer the test for Younger abstention.” Id. (quoting Sprint, 571 U.S. at 81). Rather, courts must first analyze whether the parallel state action falls within one of “three exceptional categories”: (1) criminal prosecutions, (2) “certain civil enforcement proceedings,” and (3) “civil proceedings involving certain orders uniquely in furtherance of the state courts’ ability to perform their judicial functions.” Sprint, 571 U.S. at 78 (quotation marks, alteration omitted).

2008).

The District Court therefore failed to apply the proper standard. See Hamilton v. Bromley, 862 F.3d 329, 337 (3d Cir. 2017) (explaining, in similar circumstances, that “[b]y not applying the correct test for Younger abstention, the District Court erred”). Accordingly, we will vacate the District Court’s judgment and remand so that it can decide, in the first instance, whether the state monition action falls within one of the three classes of cases described by Sprint.³

³ We express no opinion about whether the monition action does fall within one of these classes of cases, whether Harmon’s claims have merit, or whether the defendants have other meritorious defenses.

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JUDGMENT

This cause came to be considered on the record from the United States District Court for the District of Delaware and was submitted pursuant to Third Circuit L.A.R. 34.1(a) on April 20, 2020. On consideration whereof, it is now hereby

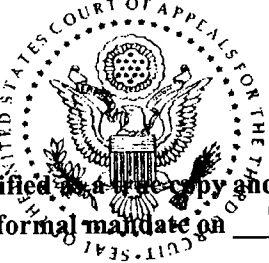
ORDERED and ADJUDGED by this Court that the judgment of the District Court entered August 20, 2019, be and the same is hereby vacated and the matter remanded.

Each side shall bear its own costs. All of the above in accordance with the opinion of this Court.

ATTEST:

s/Patricia S. Dodszuweit
Clerk

Dated: April 27, 2020

The seal of the United States Court of Appeals for the Third Circuit is circular. It features an eagle with spread wings perched on a shield. The shield is divided into sections, with a constellation of stars in the upper left. The words "UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT" are inscribed around the perimeter of the seal.
Certified as a true copy and issued in lieu
of a formal mandate on 06/04/20

Teste: Patricia S. Dodszuweit
Clerk, U.S. Court of Appeals for the Third Circuit

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